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No Stamps

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IREDELL COUNTY
No Stamps
'89 SEP 25 PM 2 48
BOOK ____ PAGE ____
L. L. NESBIT
REGISTER OF DEEDS

Excise Tax | Recording Time, Book and Page

Tax Lot No. ..... Parcel Identifier No. .....

Verified by ..... County on the ..... day of ....., 19.....

by .....

Mail after recording to Glenn Cloud, Rt 5, Box 324F. Salisbury, NC 28144

This instrument was prepared by WOODSON, LINN, SAYERS, LAWTHER, SHORT & WAGONER
Carl M. Short, Jr., Attorney at Law

Brief description for the Index

NORTH CAROLINA GENERAL ~~WARRANTY~~ RIGHT-OF- WAY DEED

THIS DEED made this 6th day of September, 19 89, by and between

GRANTOR	GRANTEE
Mallard Head Development Corporation, a North Carolina corporation	Douglas Fields and wife, Carolyn A. Fields

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that right-of-way and easement for a sewer drain field over and upon that certain lot or parcel of land situated in the City of ....., Davidson Township, Iredell County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe located South 71 degrees 40 minutes 8 seconds East 60.0 feet from an existing iron pin which is located South 2 degrees 14 minutes 37 seconds West 18.3 feet from an existing iron pin in the southeast corner of Lot 50, Section 1, Mallard Head Country Club and runs thence South 71 degrees 40 minutes 8 seconds East 49.0 feet to an iron pin; thence South 26 degrees 8 minutes 57 seconds West 77.76 feet to a new iron pin; thence North 71 degrees 40 minutes 8 seconds West 60 feet to an iron pin; thence North 33 degrees 58 minutes 42 seconds East 80.0 feet to the point of BEGINNING and being 0.10 acre as shown upon the map by Teddy W. Deal, R.L.S., dated August 22, 1989.

GRANTOR does herewith grant and convey to the GRANTEE, its successors and assigns, a Sewer Easement for Lot 50 of Section 1 aforesaid, extending from the rear property line of said lot onto the adjacent golf course property, denoted for each said lot as therein described, by metes and bounds. In no event shall the GRANTEE install a septic tank drain line within ten (10) feet of or under the area used for a golf course or tee. The GRANTEE agrees that in the event it desires to install said septic tank drain field lines

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onto the golf course property in accordance with the aforesaid Sewer Easement, that it will hold harmless and repair any portion of the golf course property which is excavated or otherwise damaged as a result of the installation of said drain field lines, with the GRANTEE specifically agreeing that said repairs shall consist of promptly returning the golf course property on which said lines are installed to the condition said property was in, immediately prior to the installation of septic tank drain field lines, including reseeding of fairways and replanting of shrubbery or trees and full maintenance thereof in future. It is agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by the GRANTOR and hereinabove referred to for so long as a community or municipal sewer system is not available for service to the property. The availability of such service shall not affect the rights of GRANTEE to continue the use of any septic tank drain field lines installed prior to such system becoming available, but would prohibit any reconstruction thereof.

For further reference, see plat of MALLARD HEAD Country Club Section I, recorded in Plat Book 16, page 9 in the office of the Register of Deeds for Iredell County, North Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in ....

....

A map showing the above described property is recorded in Plat Book ....16.......... page .....9............

TO HAVE AND TO HOLD ~~the~~ an easement upon the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

~~And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:~~

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

MALLARD HEAD DEVELOPMENT CORPORATION (Corporate Name)	USE BLACK INK ONLY	........................(SEAL)
By: [signature]		........................(SEAL)
Ex Vice President		........................(SEAL)
ATTEST: [signature]		........................(SEAL)
........................Secretary (Corporate Seal)		
........................(Corporate Name)	USE BLACK INK ONLY	........................(SEAL)
By:		........................(SEAL)
........................President		........................(SEAL)
ATTEST:		........................(SEAL)
........................Secretary (Corporate Seal)		

SEAL - STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

_____ Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

Use Black Ink

SEAL - STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

_____ Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

Use Black Ink

SEAL - STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

_____ Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

Use Black Ink

SEAL - STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

_____ Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

Use Black Ink

SEAL - STAMP

NORTH CAROLINA, ROWAN County.

I, a Notary Public of the County and State aforesaid, certify that WILLIAM W. SKEEN

personally came before me this day and acknowledged that he is _____ Secretary of MALLARD HEAD DEVELOPMENT CORPORATION a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its EV VICE President, sealed with its corporate seal and attested by HIM as its _____ Secretary.

Witness my hand and official stamp or seal, this 6 day of SEPTEMBER, 19 89.

My commission expires: 11/23/92 Linda H. Spry Notary Public

Use Black Ink

SEAL - STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that LDS ~~WILLIAM W. SKEEN~~

personally came before me this day and acknowledged that he is _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its EV _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

Use Black Ink

The foregoing Certificate(s) of _____

_____

_____

_____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant-Register of Deeds.

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