Type: CONSOLIDATED REAL PROPERTY
Recorded: 3/6/2014 1:13:43 PM
Fee Amt: $26.00 Page 1 of 3
Revenue Tax: $0.00
Iredell County, NC
Matthew J. McCall Register of Deeds
BK 2289 PG 2258 - 2260

Prepared by: James P. Ashburn
Eisele, Ashburn, Greene & Chapman, P.A.

EASEMENT

THIS EASEMENT is made and entered into this 26th day February, 2014 between MALLARD HEAD DEVELOPMENT CORP., a North Carolina corporation, (hereinafter called "Mallard Head") and ODOM-TOPPING PROPERTIES, LLP, a North Carolina limited liability partnership (hereinafter called "Odom-Topping Properties").

WITNESSETH:

WHEREAS, Odom-Topping Properties is the current owner of Lot 53 shown on a map of such property recorded in Map Book 16, pages 9-11, Iredell County Registry; and

WHEREAS, such lot is not suitable for the installation of a standard septic system; and

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EASEMENT

THIS EASEMENT is made and entered into this 26TH day February, 2014 between MALLARD HEAD DEVELOPMENT CORP., a North Carolina corporation, (hereinafter called "Mallard Head") and ODOM-TOPPING PROPERTIES, LLP, a North Carolina limited liability partnership (hereinafter called "Odom-Topping Properties").

W I T N E S S E T H:

WHEREAS, Odom-Topping Properties is the current owner of Lot 53 shown on a map of such property recorded in Map Book 16, pages 9-11, Iredell County Registry; and

WHEREAS, such lot is not suitable for the installation of a standard septic system; and

WHEREAS, Mallard Head has agreed to give Odom-Topping Properties a permanent easement to permit Odom-Topping Properties to install a sewage disposal system on Mallard Head's property described below.

NOW, THEREFORE, IN CONSIDERATION OF TEN DOLLARS ($10.00) in hand paid, Mallard Head does hereby convey unto Odom-Topping Properties, its successors and assigns, a perpetual easement over the property described below for the purpose of installing a nitrification field and drain lines or other drainage systems or absorption systems for sewage disposal together with a right of way and easement at any time for Odom-Topping Properties, its successors and assigns to enter on such tract with equipment and /or personnel to perform necessary installation, maintenance or repairs to the system. Persons or firms exercising the easement rights herein contained shall proceed expeditiously with completion of any maintenance or installation to avoid any unnecessary inconvenience to Mallard Head Country Club, its members or guests, and the persons or firms exercising the rights hereunder shall repair all damage, if any, caused

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Page Count: 3
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to the golf course. It is further understood that all nitrification fields or other installation placed on the property under this Easement will be placed underground and in such a manner that the installation will not interfere with the operation of the golf course. The property over which this Easement is granted is more fully described as follows:

BEGINNING at a No. 4 Rebar found, such Rebar being located in the Southwest corner of an existing septic lot (140-A) as shown on a plat entitled "Septic Easement Survey for Lot 53 "Mallard Country Club", Section 1 prepared by Patterson Land Surveying, P.A. dated October 11, 2013;" thence from such BEGINNING POINT South 55 deg. 24 min. 30 sec. West 11.25 feet to a point; South 55 deg. 24 min. 30 sec. West 10.03 feet to a point; North 67 deg. 05 min. 23 sec. West 70.24 feet to a point; North 00 deg. 08 min. 38 sec. East 19.57 feet to a point; North 05 deg. 33 min. 42 sec. East 27.87 feet to a point; North 09 deg. 25 min. 33 sec. East 25.51 feet to a point; South 79 deg. 30 min. 24 sec. East 70.96 feet to a No. 4 Rebar in the Northwest corner of existing septic lot 104-A; thence with the Western line of existing septic lot 104-A to the Southwestern corner of such lot, the POINT OF BEGINNING containing 6,327 square feet and being designated Lot 53-A on the above described survey.

There is also conveyed herewith a perpetual easement 10 feet in width for ingress and egress for the installation of necessary lines and piping to gain access from the aforementioned Lot 53 to the above-described septic lot, the 10 foot utility easement being more particularly described as follows:

BEGINNING at a No. 5 Rebar located in the Southwest corner of Lot 52 and the Northwest corner of Lot 53 as platted and planned on map of such property recorded in Map Book 16, pages 9-11, Iredell County Registry; thence leaving such corner and with the Southern line of Lot 51, South 84 deg. 45 min. 47 sec. West 104.24 feet to a point; South 61 deg. 57 min. 40 sec. West 123.35 feet to a point; South 86 deg. 53 min. 27 sec. West 49.54 feet to a point; North 71 deg. 27 min. 54 sec. West 189.92 to a point; North 78 deg. 24 min. 36 sec. West 168.84 feet to a point; North 39 deg. 13 min. 33 sec. West 29.48 feet to a point; South 55 deg. 24 min. 30 sec. West 10.03 feet to a point; South 39 deg. 13 min. 33 sec. East 33.85 feet to a point; South 78 deg. 24 min. 36 sec. East 171.79 feet to a point; South 71 deg. 27 min. 54 sec. West 191.22 feet to a point; North 86 deg. 53 min. 27 sec. East 53.66 feet to a point; North 61 deg. 57 min. 40 sec. East 123.55 feet to a point; North 84 deg. 45 min. 47 sec. East 102.23 feet to a point in Lot 53 as shown on such plat; North 05 deg. 58 min. 43 sec. West 10.00 feet to a No. 5 Rebar, the POINT OF BEGINNING and being a 10 foot supply line easement leading from Lot 53 across Mallard Head Country Club Fairway No. 10 to Lot 53-A as shown on a survey entitled "Septic Easement Survey for Lot

53 "Mallard Country Club," Section 1" by Patterson Land Surveying, P.A., dated October 11, 2013, Job No. 13075.

With reference to Lot 53, see PIN NO. 4636 86 1847 and Deed Book 2190, page 1204 (Tract No. 4).

TO HAVE AND TO HOLD the right and easement to Odom-Topping Properties, its successors in title, and assigns, it being agreed that the right and easement is appurtenant to and runs with the land.

MALLARD HEAD DEVELOPMENT CORP.

By: Edward P. Campbell
President

STATE OF NORTH CAROLINA

COUNTY OF IREDELL

I, Emily Nipper, a Notary Public of said County and State aforesaid certify that Edward P. Campbell, personally appeared before me this day and acknowledged that he is President of MALLARD HEAD DEVELOPMENT CORP. and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name by its _____ President and signed personally.

Witness my hand and official stamp or seal, this the 24 day of February, 2014.

My Commission Expires:

January 24, 2017

(Notary Seal)

EMILY NIPPER NOTARY PUBLIC IREDELL COUNTY, NC MY COMMISSION EXPIRES JANUARY 24, 2017

Emily Nipper
Notary Public

Emily Nipper
Printed Name of Notary