STATE OF NORTH CAROLINA

EASEMENT

COUNTY OF IREDELL

THIS EASEMENT, Made and entered into this _____ day of January, 1992, by and between **MALLARD HEAD DEVELOPMENT CORP.**, a North Carolina Corporation with its office located in Iredell County, North Carolina, hereinafter referred to as the "Corporation", and **WILLIAM J. LONG** and wife, **A. ANNE LONG**, of Iredell County, North Carolina, hereinafter referred to as the **"LONGS"**;

W I T N E S S E T H :

THAT WHEREAS, the Longs have previously purchased Lots No. 65 & 66 of Mallard Head Country Club, Section I, as shown on plat recorded in Plat Book 16, at Page 11 in the office of the Register of Deeds for Iredell County, North Carolina; with the said lot not being suitable for installation of a standard septic tank system, and the Corporation did grant to the Longs a sewage disposal system easement for Lot 65 as recorded in Deed Book 731, at Page 820 in the aforementioned office of the Register of Deeds; and

WHEREAS, neither of the said lots are suitable for the installation of a standard septic tank system; and

WHEREAS, the sewage disposal easement granted in Deed Book 731, at Page 820 and located behind Lot 65 was mistakenly utilized by the Longs when they installed their sewage disposal system pursuant to the construction of their dwelling on Lot No. 66 so that the sewage disposal area for Lot No. 65 must now be re-located behind Lot No. 64; and

WHEREAS the Longs do now desire to sale Lot 65, but they cannot close the said sale unless Lot No. 65 can obtain a sewage disposal easement to which the septic system for the said lot may be connected; and

WHEREAS, the Corporation has agreed to give and place on record easements for the Longs from their Lots No. 65 and 66 to the said areas located behind Lot No. 64 and 65 to permit them to install and to confirm the installation of the existing sewage disposal system or portions thereof on the below described property of the Corporation.

Lying and being in Davidson Township, Iredell County, North Carolina, and described as follows:

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TRACT ONE: FOR THE USE OF LOT 65 AND BEGINNING at a point at a common corner of Lot No. 64 and Lot No. 65 of Mallard Head Country Club, Section I, as set forth on plat recorded in Plat Book 16, at Page 11 in the office of the Register of Deeds for Iredell County, said point of BEGINNING lying in the margin of Golf Hole No. 14; and running thence with the line of Lot No. 64 South 00 degrees 20 minutes East 125 feet to a point, a common corner with Lot No. 63; thence North 89 degrees 40 minutes East 50 feet to a point; thence North 00 degrees 20 minutes West 125 feet to a point; thence South 89 degrees 40 minutes East 50 feet to the point and place of BEGINNING.

There is also conveyed an easement 15 feet in width leading from the southeasternmost corner of Lot No. 65 and crossing the golf course property while extending in a southeasterly direction along the lines of the existing sewage disposal system connecting the septic tank with its drain field located behind Lot No. 64.

This easement replaces the prior easement granted to the Longs in Deed Book 731, at Page 820.

TRACT TWO: FOR THE USE OF LOT 65 AND BEGINNING at a point at a common corner of Lot No. 64 and Lot No. 65 of Mallard Head Country Club, Section I, as set forth on plat recorded in Plat Book 16 at Page 11 in the office of the Register of Deeds for Iredell County, said point of BEGINNING lying in the margin of Golf Hole No. 14; and running thence with the line of Lot No. 65 North 00 degrees 20 minutes West 150 feet to a point, a common corner with lot No. 66; thence North 89 degrees 40 minutes East 50 feet to a point; thence South 00 degrees 20 minutes East 150 feet to a point; thence South 89 degrees 40 minutes West 50 feet to the point and place of BEGINNING.

There is also conveyed an easement 15 feet in width leading from the southeasterlymost corner of Lot No. 66 and connecting with the sewage disposal along the lines of the existing sewage disposal systems by the most direct route to connect the septic tank of the said sewage disposal system with its drain field behind Lot No. 65.

The above easements have been taken from a survey dated January 15, 1992, prepared by Donald Ray Allen, Registered Surveyor.

THESE EASEMENTS HAVE BEEN PREPARED BY WALTER H. JONES, JR., ATTORNEY AT LAW, AND NO TITLE OPINION HAS BEEN IMPLIED OR OTHERWISE RENDERED BY THE SAID ATTORNEY REGARDING THE SAID PROPERTY UPON WHICH THESE EASEMENTS ARE LOCATED.

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TO HAVE AND TO HOLD said rights and easements to them, the said Longs, their successors in title, heirs and assigns, it being agreed that the rights and easements hereby granted is appurtenant to and runs with the land now owned by the Longs and hereinabove referred to.

IN WITNESS WHEREOF, the said Corporation 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

BY _____
John P. Campbell
Executive Vice President

ATTEST:

_____
William W. Skeen, Secretary

(CORPORATE SEAL)

NORTH CAROLINA
IREDELL COUNTY

I, Selena J. Sawyer 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 CORP. a N. C. corporation, and that by authority duly given and as the act of the corporation, the foregoing Easement was signed in its name by its Executive Vice President, sealed with its corporate seal and attest by him as its Secretary.

WITNESS my hand and official stamp or seal, this 22nd day of January, 1992.

_____
Notary Public

My commission expires:

3/18/96

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