IREDELL COUNTY NC
Book 1259
Pages 0344-0347
FILED 4 PAGE(S)
05/01/2001 1:52 PM
BRENDA D. BELL
Register Of Deeds

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT is made this 1 day of May, 2001 by Beechwood Partners, L.L.C. , a North Carolina corporation with a place of business in Mooresville, North Carolina (hereinafter called "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of Lots 35 and 34 in Beechwood Estates Subdivision, more fully shown on a plat recorded in Plat Book 36, page 139 and 140, Iredell County Registry, and

WHEREAS, Lot 35 of such subdivision has the need of additional real property on which to extend drain lines for septic tank system and for the installation and maintenance of a septic tank system to serve Lot 35;

NOW, THEREFORE, Declarant hereby declares the following:

1. There is imposed on Lot 34 an easement as shown on " Exhibit A" attached hereto and made part hereof. The purpose of the easement is to provide for the continuing installation, reinstallation, repair and maintenance of septic tank system and drain lines and the surface area of the easement area on Lot 34 to serve Lot 35.

2. There is hereby imposed on the owner of Lot 35 the obligation to hold the owner of Lot 34 harmless from any and all liability resulting from injury or damage to persons or property arising out of the installation, repair or maintenance of the drain field areas or drain lines. The owner of Lot 35 shall maintain, in an attractive manner the easement areas and properly repair the ground cover and other damage to Lot 34 occasioned by the installation, maintenance or repair of the drain lines and septic tank system.

3. These easements shall be permanent, and shall run with the land.

IN TESTIMONY WHEREOF, the Declarant has hereunto set caused this

Declaration of Easement to be executed in its name by it proper officers, effective the day and year set forth above.

Beechwood Partners, L.L.C.

By: _____
Title: Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I, Brenda K Barrett, a Notary Public of the County and State first written above, certify that James E. McKnight, Jr., personally came before me this day and acknowledged that he is a Member and Manager of Beechwood Partners, L.L.C., a North Carolina Limited Liability Company, and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name by its Member/Manager.

Witness my hand and official seal, this the 1 day of May ,2001.

My commission expires:

2-1-06

_____
Notary Public

(Notary Seal)

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

The foregoing certificate(s) of _____

_____

is(are) certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Iredell County, North Carolina, in Book _____, page _____.

This _____ day of _____, 2001 at _____ o'clock ___ .M.

_____
Register of Deeds

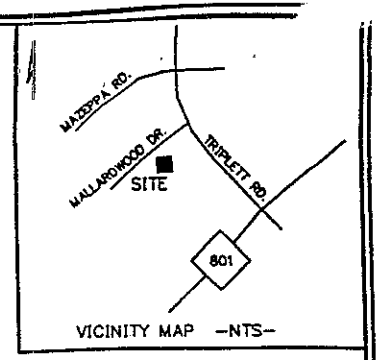
By: _____

EXHIBIT "A"
PAGE ONE OF TWO
SEPTIC EASEMENT DESCRIPTION FOR LOT 35
BEECHWOOD ESTATES

BEGINNING at an existing 5/8" rebar the corner of Lots 34 and 35 on the right of way of Mallardwood Drive of Beechwood Estates (Plat Book 36 Page 139) thence with the Line of Lot 35 S 84-13-29 E 363.83' to an existing 5/8" rebar on the right of way of Triplett Road set iron being N 34-37-05 W 43.40' from an existing 5/8" rebar; thence S 84-19-40 W 376.86' to an existing 5/8" rebar on the right of way of Mallardwood Drive; thence with said drive N 3-21-03 E 28.68' to an existing 5/8" rebar; thence along a curve to the right having a radius of 125.00', an arc distance of 46.91', along a cord bearing N 14-06-04 E 46.63' to an existing 5/8" rebar, the BEGINNING. Containing 0.32 acres being a new septic easement crossing Lot 34 as surveyed by Bowden Surveying & Mapping on April 17th, 2001.

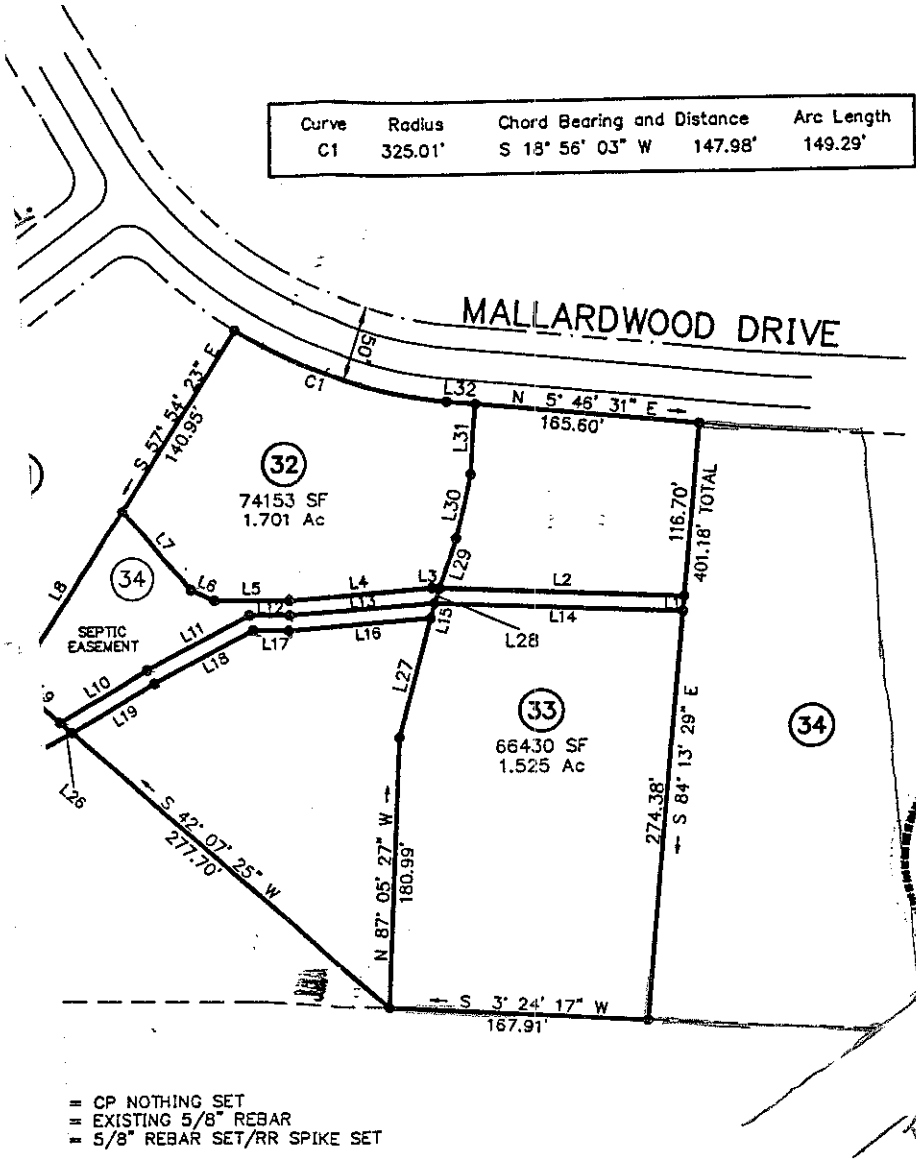
STATES
140

NORTH
PLAT BK. 36 PG. 140



VICINITY MAP –NTS–

Curve	Radius	Chord Bearing and Distance		Arc Length
C1	325.01'	S 18° 56' 03" W	147.98'	149.29'



= CP NOTHING SET
= EXISTING 5/8" REBAR
= 5/8" REBAR SET/RR SPIKE SET

100 50 0 100 200
SCALE OF DRAWING IS 1 INCH = 100 FEET

I, Michael R. Bowden, certify that this plat was drawn by me from an actual field survey made under my direct supervision; that the boundaries shown are from the record information noted hereon; that the actual ratio of precision exceeds 1:10,000; and that this plat represents septic easements on exisitng parcel of land. Witness my original signature, seal, and registration number this the 19th day of April, 2001.

Michael R. Bowden
Professional Land Surveyor L-3811

NORTH CAROLINA PROFESSIONAL SEAL L-3811 LAND SURVEYOR MICHAEL R. BOWDEN

Septic Easement Survey For:

REALCO

MALLARDWOOD DRIVE
BARRINGER TOWNSHIP
IREDELL CO., N. C.

Project # 010069-1 Date: 17 APRIL 2001

BOWDEN SURVEYING & MAPPING (704) 663-5566
195-A WEST PLAZA DRIVE
MOORESVILLE, N.C., 28117

"EXHIBIT A"
PAGE TWO OF TWO