COPY

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT is made this 13 day of March, 2000, by Deer Valley, L.L.C., a North Carolina Limited Liability Company with a place of business in Mooresville, North Carolina (hereinafter called "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of Lot 7 and Lot 6 more fully shown on a plat recorded in Plat Book 34, page 104 and 105, Iredell County Registry, in Phase Two of Deer Valley Subdivision; and

WHEREAS, Lot 7 of such subdivision has need of additional real property on which to extend drain lines for a septic tank drain field system to serve Lot 7.

NOW, THEREFORE, Declarant hereby declares the following:

1. There is imposed on Lot 6 an approximately 6,000 square foot easement, four sided equilateral in shape to be located in the Southeast corner of Lot 6 as shown on the attached " Exhibit A" and made part hereof.

2. There is also imposed an additional easement on Lot 6, such easement to be 10 feet in width and extending along the common property line of Lot 6 and Lot 7 and along the southern property line of Lot 6 also as shown on the attached " Exhibit A."

3. The purpose of the two easements is to provide for the continuing installation, reinstallation, repair and maintenance of septic tank drain field lines and the surface area of the easement area, such line to serve the septic tank system on Lot 7.

4 There is hereby imposed on Lot 7 the obligation to hold the owner of Lot 6 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 area or drain lines. The owner of Lot 7 shall maintain, in an attractive manner the easement area and properly repair the ground cover and other damage to Lot 6 occasioned by the installation, maintenance or repair of the drain lines.

5 This Easement 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.

IREDELL COUNTY NC
Book 1189
Pages 1828-1830
FILED 3 PAGE(S)
03/13/2000 4:08 PM
BRENDA D. BELL
Register Of Deeds

DEER VALLEY, L.L.C.

By: _____

Title: Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I, Susan L. Harrington, a Notary Public of the County and State first written above, certify that James E. McKnight, personally came before me this day and acknowledged that he is a Member and Manager of Deer Valley, 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 13 day of ~~November, 1999.~~ March, 2000

My commission expires:

5-14-2002

Susan L. Harrington
Notary Public

(Notary Seal)

STATE OF NORTH CAROLINA

COUNTY OF IREDELL

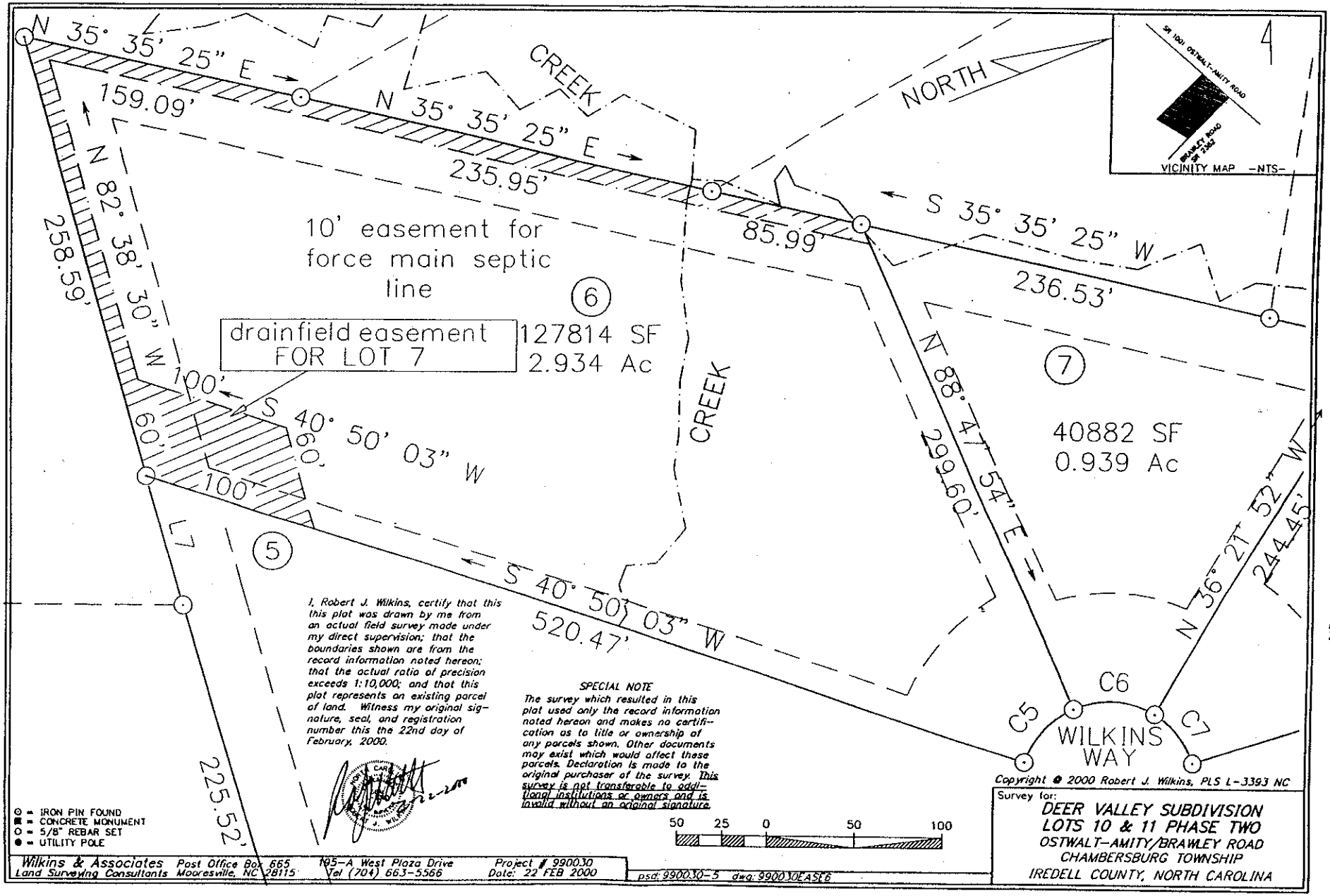
The foregoing certificate(s) of _____

_____

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 _____, 19____, at _____ o'clock _ __ .M.

_____
Register of Deeds


N 35° 35' 25" E
159.09'
N 35° 35' 25" E
235.95'
CREEK
NORTH
VICINITY MAP -NTS-
S 35° 35' 25" W
85.99'
236.53'
10' easement for force main septic line
6
drainfield easement FOR LOT 7
127814 SF
2.934 Ac
N 82° 38' 30" W
258.59'
100'
60'
S 40° 50' 03" W
60'
100'
CREEK
7
40882 SF
0.939 Ac
N 88° 47' 54" E
299.60'
N 36° 27' 52" W
244.45'
5
L7
S 40° 50' 03" W
520.47'
C5
C6
C7
WILKINS WAY
225.52'
I, Robert J. Wilkins, certify that this 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 an existing parcel of land. Witness my original signature, seal, and registration number this the 22nd day of February, 2000.
SPECIAL NOTE
The survey which resulted in this plat used only the record information noted hereon and makes no certification as to title or ownership of any parcels shown. Other documents may exist which would affect these parcels. Declaration is made to the original purchaser of the survey. This survey is not transferable to additional institutions or owners and is invalid without an original signature.
50 25 0 50 100
Copyright © 2000 Robert J. Wilkins, PLS L-3393 NC
Survey for:
DEER VALLEY SUBDIVISION
LOTS 10 & 11 PHASE TWO
OSTWALT-AMITY/BRAWLEY ROAD
CHAMBERSBURG TOWNSHIP
IREDELL COUNTY, NORTH CAROLINA
⊙ = IRON PIN FOUND
■ = CONCRETE MONUMENT
○ = 5/8" REBAR SET
● = UTILITY POLE
Wilkins & Associates Land Surveying Consultants
Post Office Box 665 Mooresville, NC 28115
195-A West Plaza Drive Tel (704) 663-5566
Project # 990030 Date: 22 FEB 2000
psd: 990030-5 dwg: 990030EASE6

"EXHIBIT A"