DECLARATION OF EASEMENT

COPY

THIS DECLARATION OF EASEMENT is made this 13th day of March, 2000 by Deer Valley, 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 Lots10 and 17 in Phase II of Deer Valley Subdivision, more fully shown on a plat recorded in Plat Book 34, page 104 and 105, Iredell County Registry, and

WHEREAS, Lot 17 of such subdivision has need of additional real property on which to extend drain lines for septic tank systems to serve Lot 17.

NOW, THEREFORE, Declarant hereby declares the following:

1. There is imposed on Lot 10 an easement located at the Northern portion of said Lot bounded: on the north by the northern property lines of said lot; on the south by a line running parallel to and forty (40) feet south of the northern property line extending between the eastern property line of Lot 10 and western property line of Lot 10 as shown on " Exhibit A" attached hereto and made part hereof.

2. The purpose of the easement is to provide for the continuing installation, reinstallation, repair and maintenance of septic tank drain lines and the surface area of the easement area, such line to serve the septic tank system on Lot 17.

3. There is hereby imposed on Lot 17 the obligation to hold the owners of Lot 10 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 17 shall maintain, in an attractive manner the easement areas and properly repair the ground cover and other damage to Lot 10 occasioned by the installation, maintenance or repair of the drain lines.

4. 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.

IREDELL COUNTY NC
Book 1189
Pages 1822-1824
FILED 3 PAGE(S)
03/13/2000 4:07 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

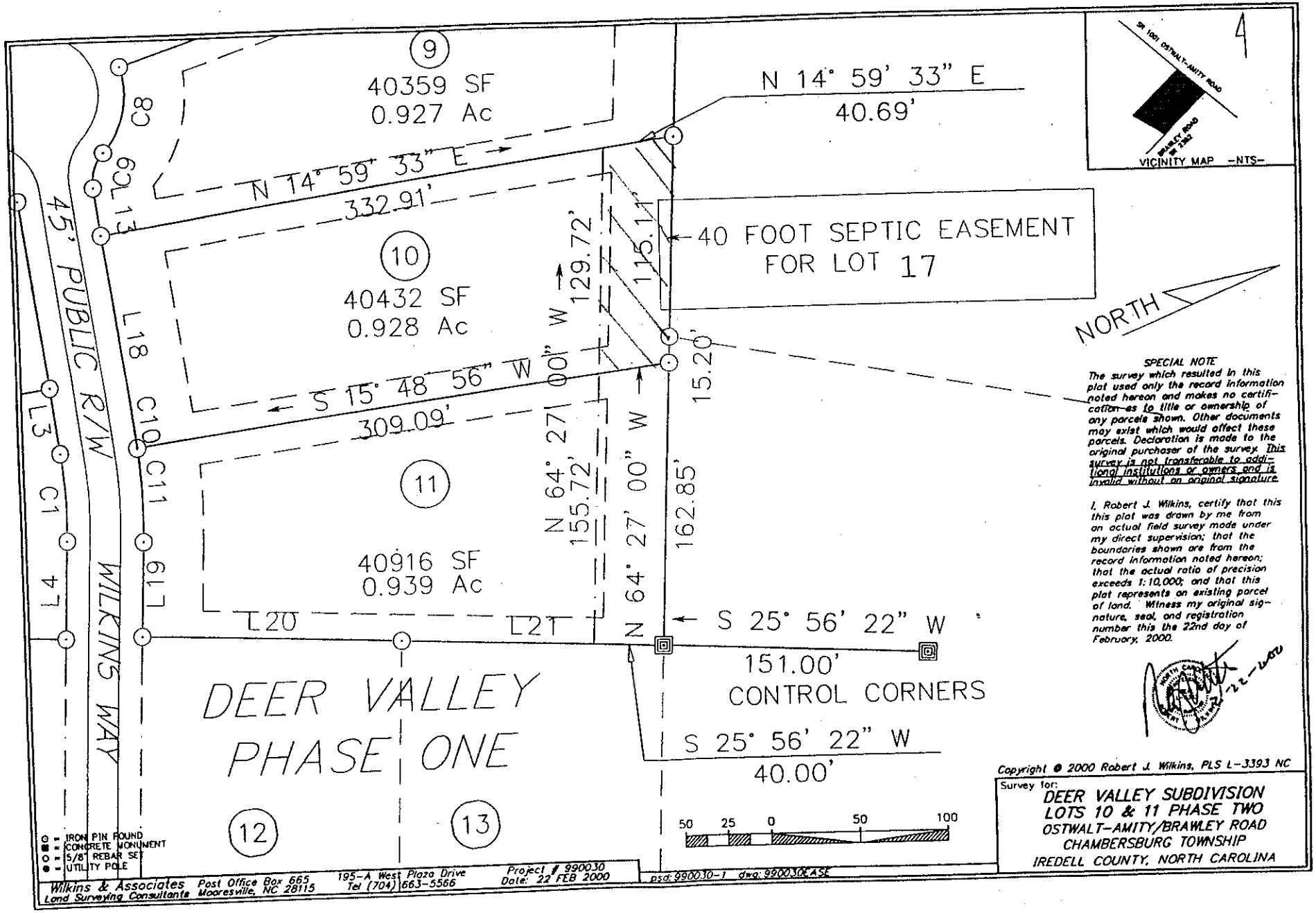
COUNTY OF IREDELL

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

By: _____



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.

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.

2-22-2000

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Survey for:
DEER VALLEY SUBDIVISION
LOTS 10 & 11 PHASE TWO
OSTWALT-AMITY/BRAWLEY ROAD
CHAMBERSBURG TOWNSHIP
IREDELL COUNTY, NORTH CAROLINA

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: 990030-1 dwg: 990030ASE

"EXHIBIT A"