DECLARATION OF EASEMENT

COPY

THIS DECLARATION OF EASEMENT is made this 13 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").

W I T N E S S E T H:

WHEREAS, Declarant is the owner of Lots11and 16 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 16 of such subdivision has need of additional real property on which to extend drain lines for septic tank systems to serve Lot 16.

NOW, THEREFORE, Declarant hereby declares the following:

1. There is imposed on Lot 11 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 11 and western property line of Lot 11 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 16.

3. There is hereby imposed on Lot 16 the obligation to hold the owners of Lot 11 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 16 shall maintain, in an attractive manner the easement areas and properly repair the ground cover and other damage to Lot 11 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 1825-1827
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~~