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Iredell County, NC
Brenda D. Bell Register of Deeds
BK 1632 PG 341-343

Prepared by and return after recording to:
John M. Logsdon, McElwee Firm, PLLC
906 Main Street, North Wilkesboro, NC 28659

NORTH CAROLINA

EASEMENT FOR SEPTIC SYSTEM 3

IREDELL COUNTY

This Easement is entered on this 24th day of March, by **J.C. FAW**, Grantor, and **J.C. FAW,** Grantee.

W I T N E S S E T H:

THAT, WHEREAS, J.C. Faw is the owner of a tract of land located in Iredell County, North Carolina, containing 4.822 acres, more or less, said tract being conveyed to him by deed recorded in Book 804, Page 424 of the Iredell County Registry (the "4.822 acre tract"), upon which is located commercial development, including a store, service station and restaurant; and

WHEREAS, J.C. Faw is the owner of another tract of land adjoining and lying northerly of the 4.822 acre tract, containing 10.908 acres, more or less, said tract being conveyed to him by deeds recorded in Book 1010, Page 1239 and Book 1010, Page 1242, of the Iredell County Registry (the "10.908 acre tract"); and

WHEREAS, J.C. Faw desires to create and declare an easement for construction, operation, maintenance and repair of a sewage/septic system located on the 10.908 acre tract for the benefit of the commercial development located on the 4.882 acre tract;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, J.C. Faw does hereby create and declare an easement for the benefit of the 4.882 acre tract for the purposes of installation, construction, operation, monitoring, maintenance and repair of a sewage/septic system, and ingress and egress to said sewage/septic system, said easement being a portion of the 10.908 acre tract, containing 1.97 acre, more or less, and being more particularly described as follows:

BEGINNING at the western corner of the Minnie C. York property described in Book 1010, Page 1244, and running thence with the northeastern boundary of the J.C. Faw property described in Book 804, Page 424, North 52° 12' 27" West 22.35 feet to a point. Thence the following six new lines through the J.C. Faw property described in Book 1010, Page 1239: (1) North 64° 20' 00" East 201.40 feet to a point; (2) North 13° 08' 15" West 112.93 feet to the eastern corner of the property of Iredell Water Corporation described in Book 667, Page 990; (3) North 13° 08' 15" West 193.97 feet to a point; (4) South 89° 14' 48" East 140.69 feet to a point; (5) South 57° 25' 50" East 254.86 feet to a point; and (6) South 23° 10' 33" West 253.56 feet to a point in the line of the property of Minnie C. York (Book 1010, Page 1044). Thence with York's line North 63° 49' 42" West 160.97 feet to her corner, and South 64° 20' 00" West 227.78 feet to the Beginning, containing 1.97 acres, more or less.

This easement is subject to the following conditions:

1. This easement shall continue and exist for so long as the sewage/septic system to be constructed within the easement area is required for the commercial improvements located on the 4.882 acre tract described in Book 804, Page 424.

2. This easement is created and declared pursuant to N.C. Gen. Stat. § 39-6.4.

3. The easement granted herein is appurtenant to and runs with the 4.882 acre tract described in Book 804, Page 424, and shall not be affected by a change of ownership or control, except as provided in N.C. Gen. Stat. § 39-6.4.

TO HAVE AN TO HOLD the above-described easement to the Grantee, his heirs and assigns, subject to the terms and conditions stated herein.

IN TESTIMONY WHEREOF, the Grantor has set his hand and seal on this, the 24th day of March, 2005.

_____ [SEAL]
J.C. Faw