

NORTH CAROLINA

YADKIN COUNTY

WATER LINE EASEMENT

THIS WATER LINE EASEMENT, made this the 26th day of January, 1993, by and between LARRY LEE CARLTON, party of the first part, of Yadkin County, North Carolina, and BERNICE CARLTON, party of the second part, of Yadkin County, North Carolina;

W I T N E S S E T H:

THAT WHEREAS, said party of the first part owns a certain tract of land being located in Forbush Township, Yadkin County, North Carolina, having been conveyed to him by that deed from Kate Hutchens, recorded in Book 336, Page 278, and a correction deed being recorded in Book 342, Page 0205, in the office of the Register of Deeds of Yadkin County, which deeds are hereby referred to for greater certainty of description; and,

WHEREAS, said party of the second part owns a certain other tract of land containing approximately 4.61 acres, more or less, being located adjacent to the property referred to above of the party of the first part, being more completely described in that deed from LeRoy Carlton recorded in Book 120, Page 728, Yadkin County Registry; and,

WHEREAS, said party of the second part has a residence on her property referred to above and finds it necessary to derive water from a well which is located on the lands of the party of the first part, and has derived water from said well for several years, that there is a pump located approximately at said well which pumps water from said well and that there is an underground water line for the purpose of transporting the water to the property of the party of the second part, and that the parties hereto desire to memorialize the existence of the water right easement and to make said easement an appurtenance to the property to the party of the second part, and that the party of the first part has agreed that the same may be done.

NOW, THEREFORE, the said party of the first part for and in consideration of the sum of \$1.00 to him in hand paid, the sufficiency of which is hereby acknowledged, does hereby give, grant and convey unto the said party of the second part, her heirs, successors and assigns, a non-exclusive perpetual right and easement to obtain water from a well located on the lands of the party of the second part for domestic purposes, to install and maintain an electric pump in or near the said well, to install and maintain an underground pipe for the conveyance of said water and to install and maintain either overhead or underground electric wires to said pump for the purpose of deriving water to her residence, to go upon the said lands of the party of the first part whenever the same is reasonably necessary for the purpose of inspecting, maintaining and repairing the said pump, pipeline and/or electric wires, all to be located as is most practical and convenient to the said party of the second part, hereinafter described is the location of the well and the waterlines that extend from the well;

COMMENCING at a 1/2 inch iron rod found, which marks the Northeast corner of that property belonging to Bernice Carlton as set out in Deed Book 120, Page 728, said iron rod marks the Southwest corner for that property

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ATTORNEYS AT LAW
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of Larry Carlton as set out in Deed Book 283, Page 296; and thence running towards the POINT AND PLACE OF BEGINNING the following three (3) courses and distances: (1) North 76 degs. 48 mins. 43 secs. West 140.66 feet to a 3/4 inch iron rod set; (2) South 14 degs. 40 mins. 56 secs. West 46.36 feet to a point just South of the shed and block building; and (3) thence running toward the well North 55 degs. 28 mins. 01 secs. West, between the shed and the frame house located on the property of the party of the first part, 71.07 feet to a well located just North of and behind the frame house, which is the subject of this agreement, the POINT AND PLACE OF BEGINNING; and thence running from said well is the following water line easement which extends 7 feet in width, 3-1/2 feet on the North and South side of, perpendicular to and radially from the following described line:

BEGINNING at the well, which location is described above, and running South 55 degs. 28 mins. 01 secs. East 71.07 feet to a point in the line of the property of the party of the second part, said location of said well and water line is shown from that survey of courses based on North referenced to Deed Book 283, Page 296, and distances prepared by Mark K. Hollar, RLS #2840, on October 13, 1992. Being Surveyor's Drawing No. 1621-92C.

TO HAVE AND TO HOLD said right and easement to him the said party of the first part and his heirs and successors in title forever; it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by the party of the second part and hereinabove referred to. It is further agreed that the well is to be used in conjunction with the party of the first part and that should this well cease to provide water, then and in that event the party of the first part is no longer responsible for providing water to the property of the party of the second part.

IN TESTIMONY WHEREOF, the said parties of the first and second parts have hereunto set their hands and seals the day and year first above written.

Larry Carlton (SEAL)
LARRY CARLTON (UNMARRIED)

Bernice Carlton (SEAL)
BERNICE CARLTON (UNMARRIED)

STATE OF NORTH CAROLINA

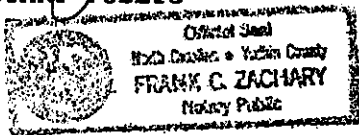
COUNTY OF YADKIN

I, Frank C. Zachary, Notary Public, do hereby certify that LARRY CARLTON (UNMARRIED), personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 26th day of January, 1993.

Frank C. Zachary
NOTARY PUBLIC

MY COMM. EXPS: April 10, 1994



STATE OF NORTH CAROLINA

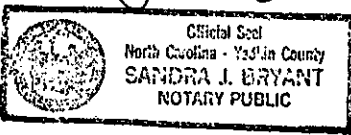
COUNTY OF YADKIN

I, Sandra J. Bryant, Notary Public, do hereby certify that BERNICE CARLTON (UNMARRIED), personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 26th day of January, 1993.

Sandra J. Bryant
NOTARY PUBLIC

MY COMM. EXPS: Aug 9, 1997



STATE OF NORTH CAROLINA

COUNTY OF YADKIN

The foregoing certificate(s) of Frank C. Zachary / Sandra J. Bryant Notary Public, ~~is~~ (are) certified to be correct. This instrument was presented for registration this 28th day of January, 1993, at 11:30 A.M., ~~P.M.~~, and duly recorded in the office of the Register of Deeds of Yadkin County, North Carolina, in Book _____, Page _____. This the 28th day of January, A.D., 1993.

Billie N. Renegar
BILLIE N. RENEGAR, REGISTER OF DEEDS OF YADKIN COUNTY, NORTH CAROLINA

BY: Mary June Madison
ASSISTANT DEPUTY REGISTER OF DEEDS OF YADKIN COUNTY, NORTH CAROLINA