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WILKES COUNTY
RICHARD L. WOODRUFF
REGISTER OF DEEDS

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BOOK 00997
PAGE 0270
INSTRUMENT # 00614

RIGHT-OF -WAY-EASEMENT

Prepared by and Return to Jennifer B. Lewis, PLLC, 602 North Spruce Street, Wilkesboro, NC 28697

NORTH CAROLINA

RIGHT-OF-WAY-EASEMENT

WILKES COUNTY

THIS RIGHT-OF-WAY-EASEMENT made and entered into as of this 13th day of January, 2006, by and between James Keith Ball, and wife Lisa H. Ball, hereinafter referred to as Grantor and Dwayne Lee Morrison, hereinafter referred to as Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner of all interest in certain tract of land which is more fully described in that certain Deed recorded in Deed Book 514, Page 546; Db 514, Pg 598; Db 544, Pg 456; Db 564, Pg 273; Db 583, Pg 216; Db 711, Pg 064, Wilkes County Registry, the description and terms of which are hereby incorporated by reference; and

WHEREAS, Grantee is the owner of land described in Deed Book 878, Page 061, Wilkes County Registry, the description and terms of which are hereby incorporated by reference; and

WHEREAS, the purpose of this Right-of-Way Easement is to set forth and memorialize on the records of Wilkes County Public Registry a non-exclusive right-of-way access from SR 2474 to the property of Grantee over Grantor's land but subject to Grantor's retained right of use of the same and to clarify and establish permanently the rights of Grantee of ingress, egress, and access over and along said property in perpetuity as herein set forth but only for the exclusive use and benefit of Grantee and its assigns, successors and transferees in ownership of all or any part of the Grantee's property.

NOW, THEREFORE, for and in consideration of the premises and the further consideration of One Dollar (\$1.00) in hand paid the receipt of which is hereby acknowledged, Grantor has given, granted, borrowed, sold and conveyed and by these presents does give, grant,

bargain, sell, convey, and confirm unto the Grantee, its heirs, successors and assigns forever a perpetual non-exclusive right and easement of ingress, egress and regress over, above and along Grantor's property, but subject to Grantor's retained right of use as hereafter provided, which is all of that property as more fully set forth and described as follows:

Center Line of a 45 feet wide R/W crossing the lands of James Keith Ball & wife, Lisa H. Ball (Deed Book 878 Page 061) in Lovelace Twsp., Wilkes Co., N.C.

Commencing on a NCGS monument "Pasture" N=264469.906 M E=422889.105 M NAD 83 Combine Factor=0.9999864 thence running S 02deg. 52' 40" W 1636.46 feet to a NCGS Monument "3AIM" N=263971.792 M E=422864.065 M NAD 83 Combine Factor=0.9999852; thence running S 02deg. 53' 53" W 1355.74 feet to a ½" rebar, THE BEGINNING; thence running S 09deg. 30' 57" W 90.66 feet to a 60d nail set in S. R. 2474.

This being the center line of a 45 feet wide R/W for the purposes of ingress, regress and egress from Dwayne Lee Morrison's property as described in the following; (Deed Book 514 Page 546, Deed Book 514 Page 598, Deed Book 544 Page 456, Deed Book 564 Page 273, Deed Book 583 Page 216, Deed Book 711 Page 064) to S. R. 2474 and the limits are to extend 22.5 feet right and 22.5 feet left of the above described line.

This property is subject to the R/W of S. R. 2474 and all other easements of record.

This description was prepared from a survey preformed by John S. Steele, P.L.S.L-1474 N.C. dated 11-10-05 and being Project No. "25605".

Grantor retains all rights of access, ingress, egress, and regress for itself, its successors, assigns and transferees in title as to property above described and Grantee by accepting this Right-of-Way Easement agrees that it will not do, suffer or permit any activity which interferes with Grantor's retained rights.

The rights herein granted shall be limited to Grantee and its successors in title in ownership of fee interest in any part of the property of Grantee heretofore described, it being intended that any subsequent owners of any part of Grantee's property will have and succeed to the rights and easements herein granted to Grantee; but such rights and easements herein granted shall not extend to rights of any other to the use of this easement whether such others own property adjacent to the easement herein granted or own property adjacent to Grantee's property and obtain or have access easement over Grantee's property, without the prior written consent of Grantor.

The granting of this easement and recording of same shall in no way be construed as dedication of this private drive to the rights of the public. The right hereby granted to Grantee shall not include the right of Grantee to grant driveway easements or access right-of-way for the benefit of others whose property is not a part of the property of Grantee heretofore described.

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TO HAVE AND TO HOLD all the rights and easements herein granted to Grantee, his heirs and assigns forever, it being agreed that the rights and easements herein granted are appurtenant to and run with lands of Grantee and are to inure to the benefit and be binding upon the parties hereto and their heirs and assigns forever.

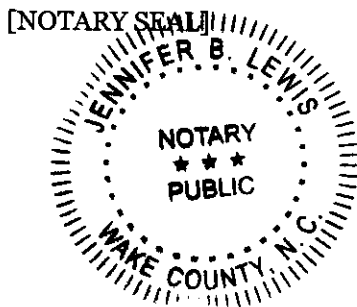
IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

By: *James Keith Ball*
James Keith Ball
Lisa H. Ball
Lisa H. Ball

STATE OF North Carolina
COUNTY OF Wake

I, Jennifer B. Lewis, a Notary Public of the state and county aforesaid, certify that James Keith Ball and wife, Lisa H. Ball personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 13th day of January, 2006.



Jennifer B Lewis
Notary Public
My Commission Expires: 5-19-09