

INSTRUMENT # 2003250063



**EASEMENT AGREEMENT**

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

PROJECT NAME: Blakeney Professional Office  
Building #2 - Parcel D Sewer Extension  
PROJECT NO: 100-01-537  
PARCEL NO.: \_\_\_\_\_

A Portion of Tax Lot Number: 22940197 & 22940198 Property Address: Rea Road

Brief Description for the Index: Sanitary Sewer Extension for Blakeney Office Park at Rea Road South of the Intersection of Audrey Kell Road

**THIS GRANT OF EASEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by and between BLAKENEY HEATH LIMITED PARTNERSHIP (hereinafter referred to as GRANTOR) and the CITY OF CHARLOTTE, a municipal corporation, Mecklenburg County, North Carolina (hereinafter referred to as GRANTEE).

The designation GRANTOR and GRANTEE, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

Said GRANTOR, in consideration of \_\_\_\_\_ One Dollars (\$1.00 \_\_\_\_\_), to be paid by the City of Charlotte, the GRANTOR, has bargained and sold, and by these presents does bargain, sell, and convey to said GRANTEE and its successors the right to use, for the purpose of laying, constructing, and maintaining a sanitary sewer line(s), and/or water line(s)/meter(s), that certain strip or parcel of land 15 feet in width, in or near the City of Charlotte, County of Mecklenburg and State of North Carolina, described as follows:

THAT PORTION of land so labeled on the map attached hereto and incorporated by reference, said map having been prepared by or for the City of Charlotte.

GRANTOR understands and agrees that the consideration amount covers and includes all improvements located within the easement area or areas unless stated otherwise.

GRANTEE shall have such right of ingress, egress, and regress over and upon any lands of the GRANTOR adjacent to or in the vicinity of the easement areas as may be necessary for the purposes of locating, laying, constructing, reconstructing, inspecting, operating, extending, maintaining, and otherwise keeping open and in good repair the sanitary sewer line(s), water line(s), or meter(s) for which the easement is granted. If adequate access is not provided by established means of approach, the GRANTOR shall be compensated for any damage resulting at any time from the exercise of the right of ingress, egress, and regress hereby granted. In the event of disagreement at any time as to the amount of any such damage, one arbitrator shall be selected by the GRANTOR, one by the GRANTEE, and a third, if necessary, by the two so selected, and that the decision in writing of two of said arbitrators shall be final and binding upon the parties hereto.

It is further understood that the GRANTOR shall erect no permanent structure of any kind over or across this Easement. For purposes of this Easement, permanent structure includes, but is not limited to: buildings, tennis courts, and swimming pools. Neither may water be ponded or impounded over or across said Easement.

Enter Initials Friday, August 29, 2003

**DRAWN BY AND RETURN TO: CITY OF CHARLOTTE-BOX**  
RE3 EASEMENT AGREEMENT  
REV. 03/02

TO HAVE AND TO HOLD the land hereinbefore described unto the GRANTEE, its successors and assigns, for the aforesaid uses and purposes and none other.

BLAKENEY HEATH LIMITED PARTNERSHIP (SEAL)

Corporate Name

By: Crosland, Inc., Manager \_\_\_\_\_ (SEAL)

By William A. DeLore \_\_\_\_\_ (SEAL)

Vice President \_\_\_\_\_ (SEAL)

ATTEST:

Mary C. Braun  
Secretary

(CORPORATE SEAL)

\* \* \* \* \*  
STATE OF \_\_\_\_\_ (Individual)  
COUNTY OF \_\_\_\_\_

I, a Notary Public for the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Notary Public

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL/STAMP)

\* \* \* \* \*

STATE OF North Carolina (Corporate)  
COUNTY OF Union

I, a Notary Public for the County and State aforesaid, certify that William G. DeLore, II personally came before me this day and acknowledged that he is Vice President Secretary of Crosland, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by him/her as its corporate Secretary.

WITNESS my hand and official stamp or seal, this 2nd day of September, 2003.

My Commission Expires: May 7, 2008

Rhonda R. Bishop  
Notary Public

(OFFICIAL SEAL/STAMP)

**NOTES**

- 1.) DISTANCES SHOWN IN PARENTHESIS ARE OF RECORD AND WERE NOT FIELD SURVEYED.
- 2.) THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



I, Warren J. Jennings, certify that this plat was prepared under my supervision and that the plat was prepared for the purpose of right of way or easement acquisition only, and is not intended to be a boundary survey of property shown.

Warren J. Jennings, PLS L-4096  
Date: 10/1/03

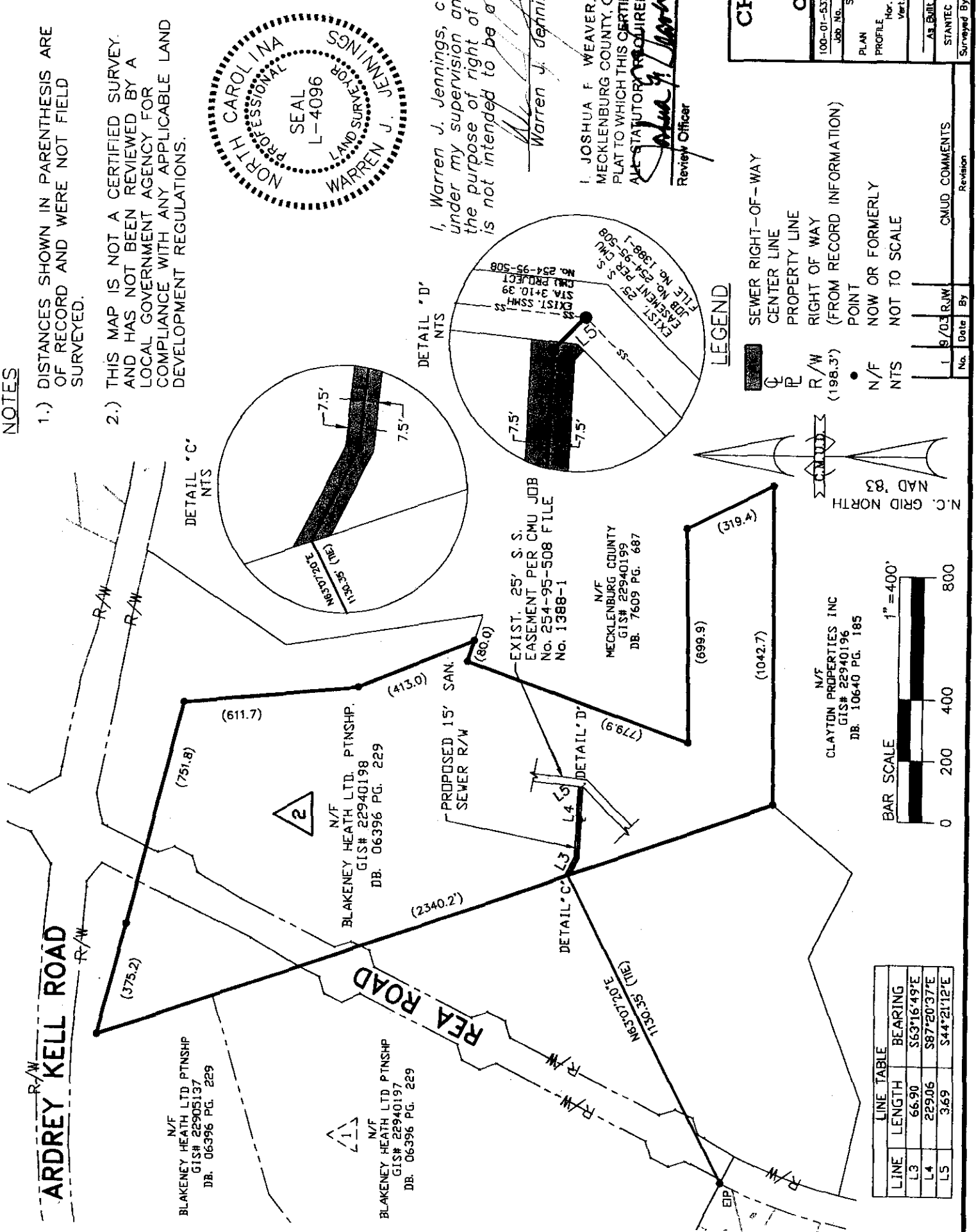
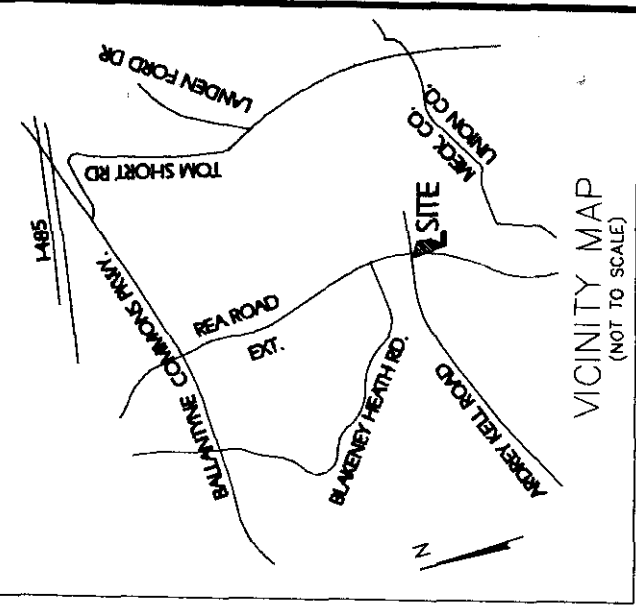
JOSHUA F. WEAVER, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.



5265 PARKWAY PLAZA BLVD., SUITE 130  
CHARLOTTE, NC 28217

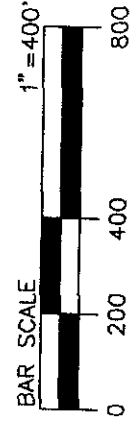
100-01-537 Job No.		File No.	
PLAN 1"=400'		N/A	
PROFILE N/A		N/A	
AS BUILT		Date	
Surveyed By	STANTEC	Designed By	WJU
Drawn By	RJW	Project-Eng	Approved By
			WJU
			2
			2

SANITARY SEWER RIGHT OF WAY TO SERVE:		BLAKENEY TOWN CENTER	
PROPERTY OF		BLAKENEY HEATH LTD. PTNSHP.	

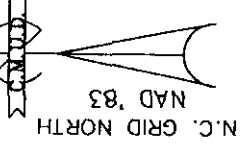


**LEGEND**

- SEWER RIGHT-OF-WAY CENTER LINE
- PROPERTY LINE
- RIGHT OF WAY (FROM RECORD INFORMATION) POINT
- NOW OR FORMERLY
- NOT TO SCALE



LINE	LENGTH	BEARING
L3	66.90	S63°16'49"E
L4	229.06	S87°20'37"E
L5	3.69	S44°21'12"E



N/F CLAYTON PROPERTIES INC  
GIS# 22940196  
DB. 10640 PG. 185

EXIST. 25' S. S. EASEMENT PER CMU JOB No. 254-95-508 FILE No. 1388-1  
N/F MECKLENBURG COUNTY GIS# 22940199 DB. 7605 PG. 687

N/F BLAKENEY HEATH LTD. PTNSHP. GIS# 22940198 DB. 06396 PG. 229

N/F BLAKENEY HEATH LTD. PTNSHP. GIS# 22940197 DB. 06396 PG. 229

DETAIL 'D' NTS

DETAIL 'C' NTS

DETAIL 'D'

DETAIL 'C'



**NOTES**

- 1.) DISTANCES SHOWN IN PARENTHESIS ARE OF RECORD AND WERE NOT FIELD SURVEYED.
- 2.) THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

**ARDREY KELL ROAD**

N/F  
BLAKENEY HEATH LTD PTNSHP  
GIS# 22905137  
DB. 06396 PG. 229

N/F  
BLAKENEY HEATH LTD PTNSHP  
GIS# 22940198  
DB. 06396 PG. 229

NOW OR FORMERLY  
CLAYTON PROPERTIES INC  
GIS# 229-401-96  
DB. 10640 PG. 185

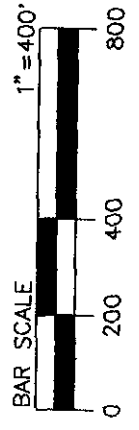
COVENTRY AT  
LANDEN MEADOWS  
MAP 2 MB 23 PG 778

MB 24 PG 188  
LANDEN MEADOWS PH. 2A

N.C. GRID NORTH  
NAD '83



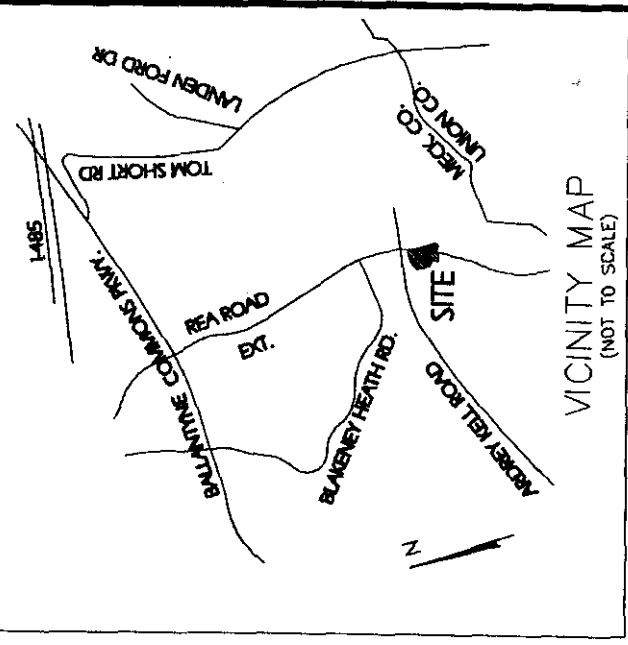
LINE	LENGTH	BEARING
L1	87.65	S63°58'09"E
L2	433.10	S63°16'49"E
L6	8.00	N62°31'47"W
L7	15.00	N26°43'11"E
L8	8.00	S62°31'47"E
L9	15.00	S26°43'11"W



**LEGEND**

- SEWER RIGHT-OF-WAY
- CENTER LINE
- PROPERTY LINE
- RIGHT OF WAY
- (FROM RECORD INFORMATION) POINT
- N/F
- NOW OR FORMERLY
- NTS
- NOT TO SCALE

No.	Date	By	CMUD COMMENTS
1	9/03	RJW	



I, Warren J. Jennings, certify that this plat was prepared under my supervision and that the plat was prepared for the purpose of right of way or easement acquisition only, and is not intended to be a boundary survey of property shown.

*Warren J. Jennings*  
Warren J. Jennings, PLS L-4096  
Date 0/33/2003

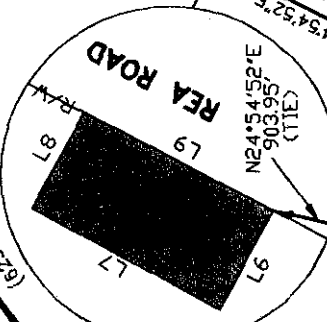
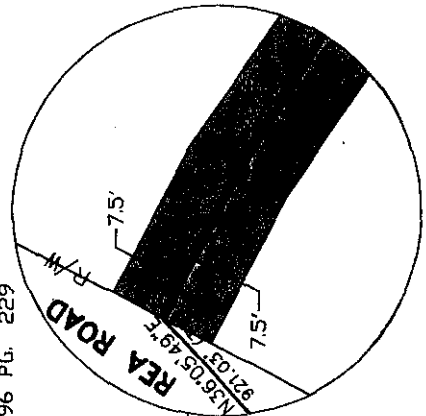
I, JOSHUA F. WEAVER, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.



5285 PARKWAY PLAZA BLVD., SUITE 130  
CHARLOTTE, NC 28217

**CHARLOTTE - MECKLENBURG  
UTILITY DEPARTMENT  
ENGINEERING DIVISION  
CHARLOTTE, NORTH CAROLINA**

100-01-537 Job No.	Sanitary Sewer Right of Way
Scale	TO SERVE:
PLAN 1" = 400'	BLAKENEY TOWN CENTER
PROFILE Hor. N/A	
Vert. N/A	
As BUILT	
STANTEC	STANTEC
Designed By	Designed By
Drawn By	Drawn By
RJW	RJJ
Project-Eng	Approved By
WJU	WJU
Sheet	Sheet
1	2
Date	Date





JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

\*\*\*\*\*  
Filed For Registration: 10/23/2003 04:27 PM  
Book: RE 16324 Page: 312-316  
Document No.: 2003250063  
ESMT 5 PGS \$23.00  
Recorder: LYVANH PHETSARATH

\*\*\*\*\*  
State of North Carolina, County of Mecklenburg

The foregoing certificate of RHONDA R BISHOP Notary is certified to be correct. This 23 RD of October 2003

JUDITH A. GIBSON, REGISTER OF DEEDS By: Lyvanh Phetsarath  
Deputy/Assistant Register of Deeds



2003250063