

BABB BOX

48

ORIGINAL

NORTH CAROLINA  
COUNTY OF FORSYTH  
TAX LOT NO. 306H, BLOCK 3460

TEMPORARY  
PROJECT I. D. NO. U-93  
STATE HIGHWAY PROJECT 8.1739601  
(Parcel 83)  
F. A. PROJECT M-5910(1)

THIS DEED OF EASEMENT, entered into this the 25th day of JANUARY, 1984,  
by and between S & K INVESTMENTS, INC.

hereinafter referred to as the GRANTORS, and the DEPARTMENT OF TRANSPORTATION, an  
agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT;

W I T N E S S E T H:

THAT the GRANTORS, for themselves, their heirs, successors, executors and assigns,  
for and in consideration of the sum of \$ 1.00 agreed to be paid by  
the DEPARTMENT to the GRANTORS, do hereby give, grant, and convey unto the DEPARTMENT,  
its successors and assigns, a temporary easement for highway purposes, subject to the  
terms and provisions hereinafter set forth, over a portion of real property described  
in deed(s) recorded in Book 1151, Page 455, and

in the Office of the Register of Deeds of FORSYTH County, said easement being  
described as follows:

TRACT I:

BEGINNING at the point of intersection of the existing northeastern right of way of  
Reynolda Road and the common property line of L. Ray Troxell and the undersigned, said  
point being located northeasterly 45 feet from and normal to Survey Line L Revised,  
and also located northeasterly 50 feet from and normal to Survey Line L; thence run-  
ning in a northerly direction along the common property line of L. Ray Troxell and the  
undersigned to a point located 61.5 feet northeasterly from and normal to Survey Line  
L Revised; thence running in a southeasterly direction, a straight line, along the  
proposed easement to a point located 62 feet northeasterly from and normal to Survey  
Station 107 + 00, Survey Line L Revised; thence running in a southeasterly direction,  
a straight line, along said easement to a point located 57 feet northeasterly from and  
normal to Survey Station 108 + 00, Survey Line L Revised; thence running in a south-  
easterly direction, a straight line, along said easement to a point in the existing  
northeastern right of way of Reynolda Road at a point located northeasterly 40 feet  
from and normal to Survey Station 109 + 00, Survey Line L Revised, said point also  
located northeasterly 50 feet from and normal to Survey Line L; thence running in a  
northwesterly direction along said existing right of way on a curve, all points being  
located 50 feet northeasterly from and normal to Survey Line L, to the point of  
BEGINNING.

TRACT II:

BEGINNING in the existing northeastern right of way of Reynolda Road at a point  
located northeasterly 40 feet from and normal to Survey Station 109 + 00, Survey  
Line L Revised, said point also located northeasterly 50 feet from and normal to  
Survey Line L; thence running in a southeasterly direction, a straight line, on the  
proposed easement to a point located 55 feet northeasterly from and normal to Survey  
Station 110 + 00, Survey Line L Revised; thence running in a southeasterly direction,  
a straight line, on said easement to a point in the existing northeastern right of  
way of Reynolda Road at a point located 40 feet northeasterly from and normal to  
Survey Station 111 + 00, Survey Line L Revised, said point also located 50 feet north-  
easterly from and normal to Survey Line L; thence running in a northwesterly direction  
along the said existing right of way, all points being located 50 feet northeasterly  
from and normal to Survey Line L, to the point of BEGINNING.

NO TAXABLE CONSIDERATION

FOR STAMPS SEE D.B. 1442, P. 1003

R. K. MUMFORD BARR

Temporary  
Page 1  
Revised November 1973  
JPW,III:kfc

BOOK 1442 P 1005

Drawn By J. P. Wemberly  
Checked By R. Stanley Morgan

ORIGINAL

PROJECT 8.1739601 PARCEL 83

TRACT III:

BEGINNING in the existing northeastern right of way of Reynolda Road at a point located 40 feet northeasterly from and normal to Survey Station 111 + 00, Survey Line L Revised, said point also located northeasterly 50 feet from and normal to Survey Line L; thence running in a southeasterly direction, a straight line, along the proposed easement to a point located 72 feet northeasterly from and normal to Survey Station 112 + 00, Survey Line L Revised; thence running in a southeasterly direction, a straight line, along said easement to a point located 82 feet northeasterly from and normal to Survey Station 113 + 00, Survey Line L Revised; thence running in a southeasterly direction, a straight line, along said easement to a point located 76.26 feet northeasterly from and normal to Survey Station 114 + 16, Survey Line L Revised; thence running in a southeasterly direction, a straight line, along said easement to a point located 61 feet northeasterly from and normal to Survey Station 115 + 00, Survey Line L Revised; thence running in a southeasterly direction, a straight line, along said easement to a point in the common property line of the undersigned and Rachel Speas Kent Estate, said point being located 60 feet northeasterly from and normal to Survey Line L Revised; thence running in a westerly direction along said common property line to a point in the existing northeastern right of way of Reynolda Road at a point located 43.5 feet northeasterly from and normal to Survey Line L Revised, said point also being located 50 feet northeasterly from and normal to Survey Line L; thence running in a northwesterly direction along the existing northeastern right of way of Reynolda Road, all points being located 50 feet northeasterly from and normal to Survey Line L, to the point of BEGINNING.

Temporary  
Page 2  
Revised November 1973

JFW, YLI:kfc

BOOK 1442 P 1006

ORIGINAL

PROJECT 8.1739601 PARCEL 83

Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 8.1739601 on file in the office of the Department of Transportation in Raleigh, North Carolina, and also on a copy of said project plans which will be recorded, as required by law, in the Office of the Register of Deeds of FORSYTH County, to which plans reference is hereby made for greater certainty of description of the easement areas herein conveyed and for no other purpose.

This DEED OF EASEMENT is subject to the following terms and provisions only:

IT IS UNDERSTOOD AND AGREED that the Department of Transportation shall have the right to maintain the cut and/or fill slopes outside the existing right of way line, as shown on Project Plans, until such time as the property owners alter the adjacent land in such a manner that the lateral support of the slopes is no longer needed.

IT IS FURTHER UNDERSTOOD AND AGREED that the area outside of the existing right of way line between the slope stake line or right of way line and "E" Line, as shown on Project Plans, is to revert to the property owners upon completion of said project.

There are no conditions to this DEED OF EASEMENT not expressed herein.

TO HAVE AND TO HOLD said temporary easement for highway purposes, subject to the terms and provisions hereinabove set forth, unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the said temporary easement; and that they will warrant and defend title to the same against the lawful claims of all persons whomsoever; and the GRANTORS, for themselves, their heirs, successors, executors and assigns, release the DEPARTMENT from any and all claims for damages by reason of said temporary easement herein conveyed over property of the GRANTORS and the past and future use thereof by the DEPARTMENT, its successors and assigns, for all purposes for which the DEPARTMENT, its successors and assigns, is authorized by law to subject the same, subject to the terms and provisions hereinabove set forth.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our seals the day and year first above written.

NORTH CAROLINA \_\_\_\_\_ COUNTY

The annexed certificate of \_\_\_\_\_  
a Notary Public of \_\_\_\_\_  
County, North Carolina,  
is certified to be correct.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

By: \_\_\_\_\_  
Register of Deeds Assistant (Deputy)

✓ S&K INVESTMENTS, INC. (SEAL)

By: John A. Kent, Jr. (SEAL)  
JOHN A. KENT, JR.  
Vice President (SEAL)

Attest: John M. McCormick (SEAL)  
JOHN M. MCCORMICK  
Assistant Secretary (SEAL)

\_\_\_\_\_  
(SEAL)

STATE OF FLORIDA \_\_\_\_\_ ORANGE COUNTY

I, Patricia E. Latch, a Notary Public of said County and State, do hereby certify that JOHN A. KENT, Jr., Vice President and JOHN M. MCCORMICK, Assistant Secretary of S & K INVESTMENTS, INC., a Corporation, grantor(s) personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and Notarial Seal this 25th day of March, 1984. My Commission expires: \_\_\_\_\_

Patricia E. Latch  
NOTARY PUBLIC, FLORIDA  
My Commission Expires April 5, 1987  
Bonded thru Troy Fair Insurance, Inc.

\* 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 John M. McCormick as its Assistant Secretary. (SEAL)

ACCEPTED FOR DEPARTMENT OF TRANSPORTATION

BY: John A. Holmes

Temporary  
Page 3  
Revised November 1973

MAR 13 1984

JPW, III:kfc

BOOK 1442 P 1007

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of Patricia E. Hatch N.P.  
(here give name and official title of the officer signing the certificate—passed upon)

Orange Co Fla.  
is (are) certified to be correct. This the 25<sup>th</sup> day of May 19 84.

Probate fee \$1.00 paid.

PRESENTED FOR  
REGISTRATION  
AND RECORDED

Eunice Ayers, Register of Deeds

By Jessie Golden Deputy-~~\_\_\_\_\_~~

MAY 25 11 48 AM '84

EUNICE AYERS  
REGISTER OF DEEDS  
FORSYTH CTY. N.C.

8.50 PD  
de

BOOK 1442 P 1008