

**2015015709 00031**FORSYTH CO, NC FEE \$26.00  
PRESENTED & RECORDED

05-05-2015 10:44:33 AM

C. NORMAN HOLLEMAN  
REGISTER OF DEEDS  
BY: S. GRIFFITH

DPTV

**BK: RE 3229****PG: 653-656***Prepared by: Robert W. Porter #144**Return after recording to:*NORTH CAROLINA )  
FORSYTH COUNTY )**EASEMENT AGREEMENT**

**THIS EASEMENT AGREEMENT** made and entered into this the 26th day of August, 2005, by and between **ANNE RUTLEDGE O'BERRY f/k/a Anne Rutledge Smith** and husband, **THOMAS O. O'BERRY** (hereinafter collectively referred to as "O'Berry") and **JAMES ALLEN JOINES** (hereinafter referred to as "Joines").

**WITNESSETH**

**WHEREAS**, O'Berry is the present owner of that real property located as 850 Turnberry Forest Court, Winston-Salem, North Carolina, which property is known and designated as Lot 11 as shown on the map of the Turnberry, Revision of Plat Book 40, Page 36 as described in Plat Book 42, Page 191, Forsyth County Registry, reference to which is hereby made for a more particular description; and,

**WHEREAS**, Joines is the present owner of that real property located as 870 Turnberry Forest Court, Winston-Salem, North Carolina, which property is known and designated as Lot 12 as shown on the map of the Turnberry, Revision of Plat Book 40, Page 36 as described in Plat Book 42, Page 191, Forsyth County Registry, reference to which is hereby made for a more particular description; and,

**WHEREAS**, a small portion of Joines' driveway pad encroaches upon a northern portion of the O'Berry property, and the parties desire and agree that O'Berry shall hereby grant an easement to allow the Joines' driveway pad to remain in its present location.

**NOW, THEREFORE**, in consideration ten dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. O'Berry does hereby give, grant and convey unto Joines a non-exclusive, permanent easement for the purpose of allowing the Joines driveway to remain in its present location, said easement being described as follows:

**BEGINNING** at a point in the southern line of Lot 12 as shown on the Map of Turnberry, Plat Book 42, Page 191, Forsyth County Registry, said point being located South 69 deg. 37 min. 22 sec. East 9.4 feet from the southwestern corner of said Lot 12; and running thence with the southern line of Lot 12 South 69 deg. 37 min. 22 sec. West 17.98 feet to a point; running thence South 52 deg. 06 min. 15 sec. West 3.43 feet to a point; running thence North 84 deg. 27 min. 27 sec. West 14.52 feet to a point; running thence North 02 deg. 26 min. 56 sec. East 6.98 feet to the **POINT AND PLACE OF BEGINNING**.

The above described property is a small triangular portion of land from the northwestern portion of Lot 11 as shown on the Map of Tumberry, Plat Book 42, Page 191, Forsyth County Registry.

**\*\* The survey of Thomas A. Riccio attached hereto is included for illustrative purposes only.**

2. Any maintenance or repair that may be performed upon the driveway shall be the sole responsibility of the owner(s) of the Joines' Property.

**TO HAVE AND TO HOLD** said non-exclusive permanent easement unto Joines', his heirs, assigns, and successors in interest; and it being further agreed that the rights and easements hereby granted are appurtenant to and shall run with the lands hereinabove described.

IN WITNESS WHEREOF, the undersigned hereby set their hands and seals as of the day and year first above written.

Anne Rutledge O'Berry (SEAL)  
Anne Rutledge O'Berry

Thomas O. O'Berry (SEAL)  
Thomas O. O'Berry

James Allen Joines (SEAL)  
James Allen Joines

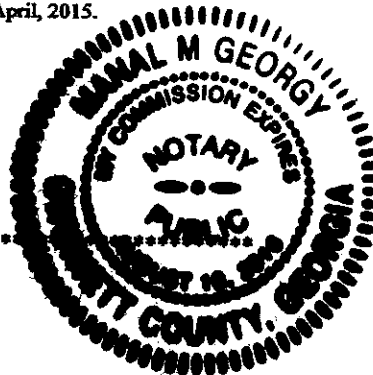
STATE OF GEORGIA  
Gwinnett COUNTY

I, Manal Georgy, a Notary Public of \_\_\_\_\_ County, Georgia certify that Anne Rutledge O'Berry and husband, Thomas O. O'Berry personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 20<sup>th</sup> day of April, 2015.

Manal Georgy  
Notary Public

My Commission Expires: Aug 19, 2016



NORTH CAROLINA

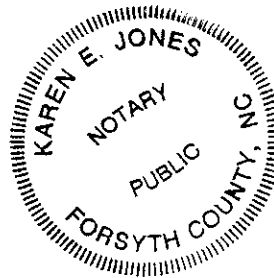
FORSYTH COUNTY

I, KAREN E. JONES, a Notary Public of  
FORSYTH County, North Carolina, certify that **James Allen Joines** and  
\_\_\_\_\_ personally appeared before me this day and acknowledged the  
execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 5TH. day of May, 2015.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11/4/2017



I, THOMAS A. RICCIO, P.L.S., CERTIFY THAT ON APRIL 3RD 2015, WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT; AND THAT THE PROPERTY LINES AND LOCATIONS OF IMPROVEMENTS ARE ACCURATELY SHOWN HEREON; THAT, EXCEPT IF NOTED, NO IMPROVEMENT LOCATED ON THIS PROPERTY ENCLOSES ON ANY ADJACENT STREET OR PROPERTY, AND THAT NO IMPROVEMENT ON ADJACENT PROPERTY ENCLOSES ON THE PREMISES SURVEYED.

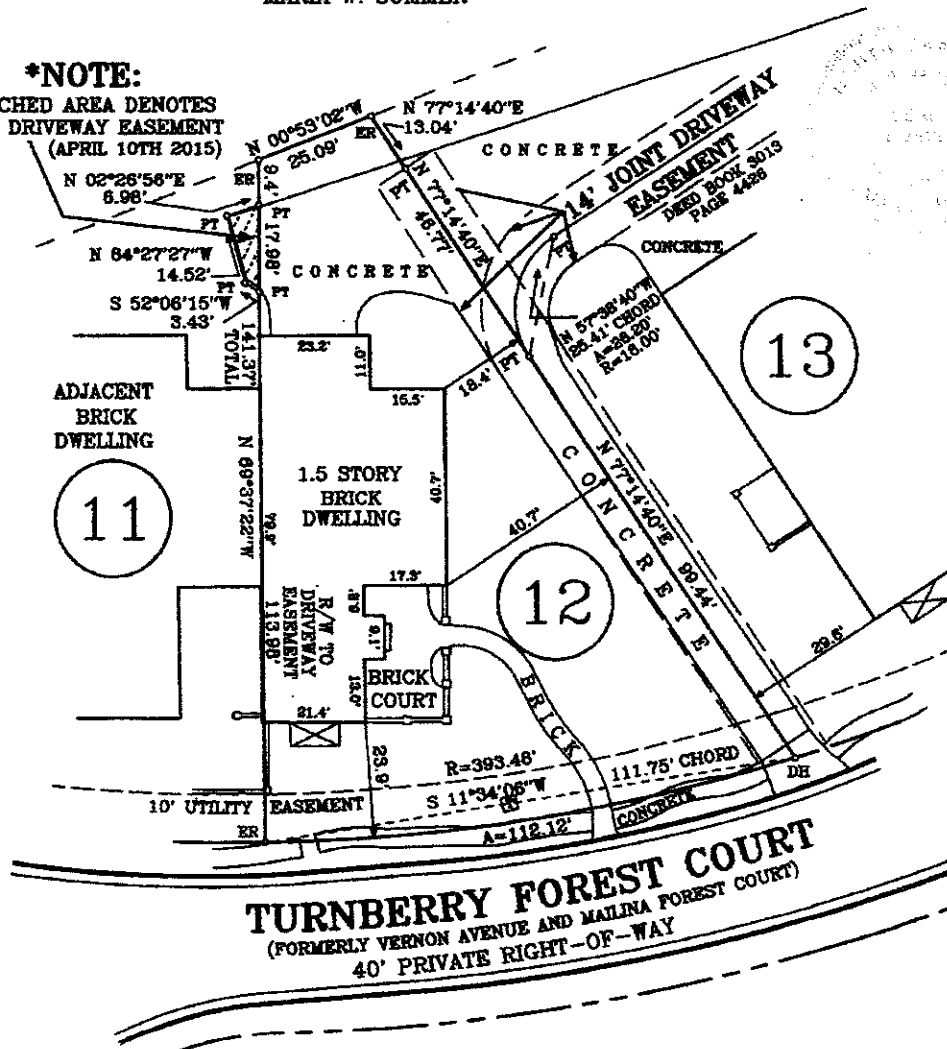
**0.23091<sup>±</sup> ACRE**  
BY COORDINATE COMPUTATION

*Thomas A. Riccio* L-2815  
PROFESSIONAL LAND SURVEYOR

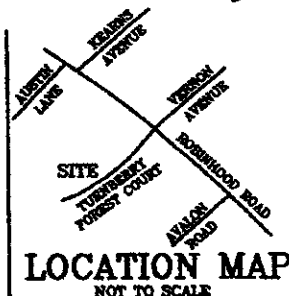
TAX BLOCK 2387 TAX LOT 036  
MARIA W. SOMMER

**\*NOTE:**

HATCHED AREA DENOTES  
NEW DRIVEWAY EASEMENT  
(APRIL 10TH 2015)



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.



**LEGEND**

DH DRILL HOLE  
ER EXISTING REBAR  
PT POINT  
T TRANSFORMER

UPDATED  
(APRIL 10TH 2015)  
TO ADD NEW DRIVEWAY EASEMENT

SURVEY PREPARED FOR

**ROBERT E. TRIPLETT AND WIFE, SANDRA K. TRIPLETT**

LOT 12 MAP OF TURNBERRY

PLAT BOOK 42  
PAGE 191

TAX LOT 012 BLOCK 6400

WINSTON TOWNSHIP \* FORSYTH COUNTY \* NORTH CAROLINA

ADDRESS: 870 TURNBERRY FOREST COURT

DATE: 04-03-2015

FIELD: TR BR KS  
MAPPED: TAR  
DRAWING NUMBER 15089

SCALE ONE INCH EQUALS THIRTY FEET

**THOMAS A. RICCIO & ASSOCIATES**  
PROFESSIONAL LAND SURVEYOR  
440 WEST END BOULEVARD  
WINSTON-SALEM, NORTH CAROLINA 27101 336-773-0211