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
DPTY
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").

**W I T N E S S E T H**

**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 Turnberry, 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 20th day of April, 2015.

Notary Public

My Commission Expires: Aug 19, 2016

MANAL M GEORGY NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 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

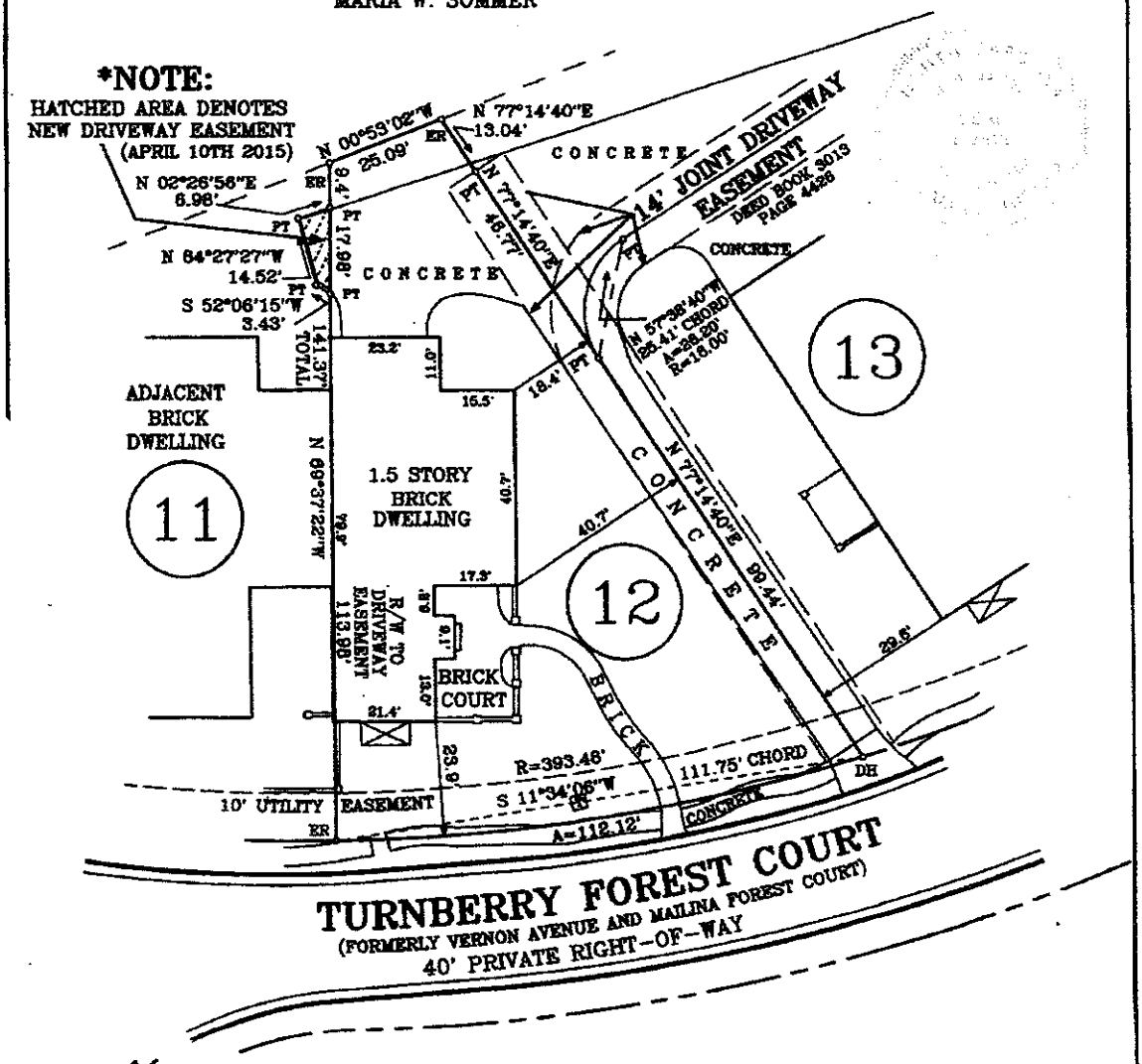
KAREN E. JONES NOTARY PUBLIC FORSYTH COUNTY, NC

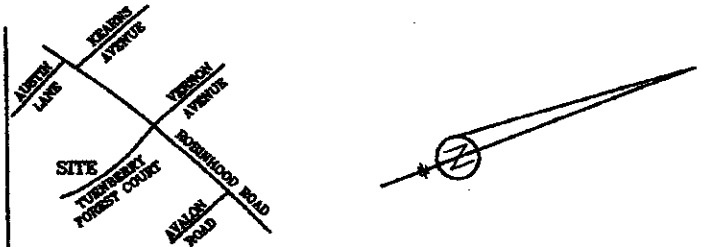
I, THOMAS A. RICCIO, P.L.S., CERTIFY THAT ON APRIL 3RD 2015, WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT; AND THAT THE PROPERTY LINES AND LOCATIONS OF IMPROVEMENTS ARE ACCURATELY SHOWN HERON; THAT, EXCEPT IF NOTED, NO IMPROVEMENT LOCATED ON THIS PROPERTY ENCROACHES ON ANY ADJACENT STREET OR PROPERTY,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

L-2815
PROFESSIONAL LAND SURVEYOR

# 0.23091± ACRE
BY COORDINATE COMPUTATION

TAX BLOCK 2387 TAX LOT 036
MARIA W. SOMMER




LOCATION MAP
NOT TO SCALE

## 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 BB KS — MAPPED: TAR — DRAWING NUMBER 15089

0' 15' 30' 60' 90'
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

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.