

NORTH CAROLINA

WILKES COUNTY

ROAD AND UTILITY EASEMENT

THIS CONTRACT, made and entered into as of the 10th day of January, 1973, by and between LULA SPICER (widow) of Wilkes County, North Carolina, and EDNA S. DRAUGHN and husband, RUSSELL DRAUGHN, of Surry County, North Carolina, parties of the first part; and ROGER G. HEIM, of Dade County, Florida, party of the second part;

W I T N E S S E T H:

That whereas, the party of the second part owns a boundary of land, consisting of several tracts totaling approximately 600 acres, known as Bell Mountain, in Walnut Grove Township, Wilkes County, North Carolina, and adjoining lands owned by parties of the first part which lie between the lands belonging to party of the second part and State Road 1735; and whereas, the party of the second part desires to acquire a perpetual easement and right of way across the lands of parties of the first part for ingress, egress and regress to and from the lands belonging to party of the second part and North Carolina State Road 1735 and for the further purpose of installing utility lines for public utilities.

Now, therefore, for and in consideration of the sum of One Hundred Dollars (\$100.00) and other valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, said parties of the first part have bargained and sold and by these presents do bargain, sell and convey unto party of the second part, his heirs and assigns, a perpetual road and utility easement over the lands of parties of the first part, lying and being in Walnut Grove Township, Wilkes County, North Carolina, with a width of 60 feet and with its center line following the courses and degrees hereinafter set forth, and being more particularly described as a right of way extending 30 feet on each side of the following line:

BEGINNING in center of State Road 1735, 20 feet East of white oak near gate; thence North 32° West 15 feet; thence North 57° West 300 feet; thence North 54° West 200 feet; thence North 47° West 100 feet; thence North 54° West 200 feet; thence North 63° West 200 feet; thence North 44° West 200 feet to a point; thence North 31° West 400 feet; thence North 45° West 650 feet to two Spanish oaks.

The parties of the first part reserve the right of the use of said lands as a roadway and any other use not inconsistent with the easement herein conveyed.

TO HAVE AND TO HOLD the rights and easements hereby granted to the party of the second part, his heirs and assigns, forever. And parties of the first part covenant that they are seized of all easements herein granted in fee and have the right to convey the same in fee simple, that the same are free and clear of all encumbrances, and that they will warrant and defend the title to same from claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the parties of the first part have hereunto set their hands and seals as of the day and year first

above written.

Lula H. Spicer (SEAL)

Edna S. Draughn (SEAL)

Russell Draughn (SEAL)

WITNESS:

Ronald E. Olson

NORTH CAROLINA

WILKES COUNTY

I, Zelma C. Goforth, a Notary Public of said County and State, certify that Donald E. Olson personally appeared before me this day, and being duly sworn, stated that, in his presence, Lula Spicer, Edna S. Draughn and Russell Draughn each signed the foregoing instrument.

Witness my hand and notarial seal, this 10th day of January, 1973.

Zelma C. Goforth
Notary Public

My commission expires:
November 9, 1974



STATE OF NORTH CAROLINA, COUNTY OF WILKES

The foregoing certificate(s) of Zelma C. Goforth, N. P.

(are) certified to be correct. This instrument was presented for registration this 12 day of JANUARY, 19 73
2:45 A.M., P.M., and duly recorded in the office of the Register of Deeds of Wilkes County, North Carolina in Book 522, Page 220.

Ray Welborn
REGISTER OF DEEDS

By: Bobbie Hawkins
ASSISTANT, REGISTER OF DEEDS