

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED Sep 08, 2017
AT 11:28:38 AM
BOOK 10164
START PAGE 0598
END PAGE 0599
INSTRUMENT # 28564
RECORDING \$26.00
EXCISE TAX \$0.00

NORTH CAROLINA
CUMBERLAND COUNTY

**UTILITY EASEMENT
(WATER & SANITARY SEWER)
PUBLIC WORKS COMMISSION**

No Revenue

PWC EASEMENT NO. 18567

Prepared by and Return to: Public Works Commission of the City of Fayetteville
Attn: Kyle Brisson

THIS INSTRUMENT made this 16th day of August, 2017.

By: VALLEY END II, LLC, a North Carolina Limited Liability Company, herein called Grantor.

To: THE CITY OF FAYETTEVILLE, a Municipal Corporation herein called Grantee, all of said State and County.

WITNESSETH THAT

Grantor, for one dollar and other valuable consideration, hereby acknowledged as paid and received, has bargained and sold, and by these presents does grant, bargain, sell and convey to Grantee, its successors and assigns, the perpetual right, easement and privilege to build, construct, lay, install, maintain and operate water, sanitary sewer and/or storm sewer, fiber optic (any or all) lines, with such pipes, drains, connections, manholes, and other attachments, equipment and accessories necessary or desirable in connection therewith, to have full ingress and egress, thereto, and therefrom, over adjoining lands, of Grantor, to patrol, inspect, alter, improve, repair, relocate, remove, and replace any or all of such lines, pipes, drains, connections, manholes, and other attachments, equipment and accessories, to keep clear all trees, undergrowth and other encroachments located within ten feet (unless otherwise specified below) of said lines and equipment and to have all rights and privileges necessary or convenient for the full enjoyment or use of this easement, in, on, under, over, through and across certain land described as follows:

NORTH CAROLINA – CUMBERLAND COUNTY – ROCKFISH TOWNSHIP

The following described easement lies within that certain parcel of land located south of Camden Road (Public Right-of-Way Varies) as described in the Deed of Record duly recorded in Deed Book 9720, Page 858, and shown as the 12.3 acre lot on plat entitled "Subdivision for Barbara M. Johnson" recorded in Plat Book 136, Page 121, both of the Cumberland County, North Carolina Registry.

Being an easement on the aforementioned lands for the installation, operation and maintenance of a system of water and sanitary sewer lines with equipment and accessories necessary in connection therewith. The proposed location of utilities and equipment shall be along or within street rights-of-way, common areas and easement areas as may be established in development of Grantors property and as shown approximately on PWC Drawing DWS-14988.

Also granted is the right to remove, reconstruct, install, and/or relocate said utilities and/or accessories onto and within said lands of Grantors as may be necessary to accommodate future development of Grantors property or as may be required to avoid conflicts with future roadway improvement projects.

For title reference, see the following in Cumberland County, N.C. Registry:
Deed Book 9720, Page 858; Plat Book 136, Page 121; PWC Drawing No. DWS-14988; Pin No. 0404-13-14-4467-;
"Valley End II"

TO HAVE, TO HOLD, AND TO ENJOY said right, easement, and privilege as above fully defined and described in, on, under, over, through and across said land, and all privileges and appurtenances thereto belonging, to Grantee, its successors and assigns, forever, and that Grantor will warrant and defend the title to the same against the lawful claims of all person.

Wherever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

IN TESTIMONY WHEREOF, Grantor has signed and sealed this instrument,

VALLEY END II, LLC, a North Carolina Limited Liability Company

[Signature]
MEMBER/MANAGER (SEAL)

MEMBER/MANAGER (SEAL)

(No Markings, to include Notary Seal are to be outside of the margin lines)

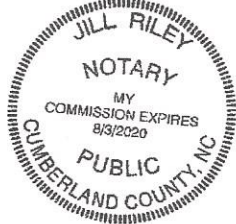
NORTH CAROLINA- Cumberland COUNTY

I, a Notary Public of Cumberland County and said State, do hereby certify that P. Ralph Huff III, MEMBER/MANAGER of VALLEY END II, LLC, a North Carolina Limited Liability Company, appeared before me this day and acknowledged that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal this the 16 day of August, 2017.

My commission expires: 8-3-2020

(SEAL)



[Signature]
Official Signature of Notary

Jill Riley
Typed or Printed Name of Notary

NORTH CAROLINA- _____ COUNTY

I, a Notary Public of _____ County and said State, do hereby certify that _____, MEMBER/MANAGER of VALLEY END II, LLC, a North Carolina Limited Liability Company, appeared before me this day and acknowledged that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal this the _____ day of _____, 2017.

My commission expires: _____

(SEAL)

Official Signature of Notary

Typed or Printed Name of Notary