

NORTH CAROLINA  
WAKE COUNTY

## EASEMENT

THIS EASEMENT, made this the 16th day of January, 1978, by and between ROGER D. POWELL and wife, BARBARA H. POWELL, parties of the first part, CLIFFORD J. MOORE, JR. and wife, FRANCES JO MOORE, parties of the second part, and EVA U. POOLE, widow, party of the third part, all of Wake County, North Carolina;

W I T N E S S E T H:

THAT WHEREAS the parties of the first part are the owners of a tract of land consisting of 13 acres more or less, Buckhorn Township, located on the south side of N. C. State Road 1142, having acquired said acreage tract from Robert W. Wynne and wife, by deed dated May 7, 1974, recorded in Book 2244, Page 281, Wake County Registry; and whereas parties of the second part are purchasing an adjoining 10.975 acre tract located in Buckhorn Township on the south side of N. C. State Road 1142 from Berta S. Cochran and Linda C. Shepherd, owners by deed dated May 2, 1977, recorded in Book 2500, Page 50, Wake County Registry;

AND WHEREAS in the deeds to parties of the first part and parties of the second part reference is made to a private road running between the two tracts, 30 feet on each side of the common line;

AND WHEREAS the parties of the first part and parties of the second part desire to establish with party of the third part a definitely defined roadway easement for ingress and egress to and from land owned by the party of the third part;

AND WHEREAS all parties hereto acknowledge that party of the third part has contracted to sell a portion of land located to the south of the tracts owned by parties of the first part and to be purchased by parties of the second part to Hershell R. Ball and wife, Ellen K. Ball and others and that the private roadway will be totally

maintained by the said Hershell R. Ball and wife, Ellen K. Ball and others;

NOW, THEREFORE, the said parties of the first part and parties of the second part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid, the receipt of which is hereby acknowledged, and other covenants herein, do hereby give, grant and convey unto party of the third part, her heirs and assigns, a perpetual right and easement of ingress, egress and regress over and upon the following described tract:

BEGINNING at a point in the center line of N. C. State Road 1142, said point being 30 feet west of the north-east corner of the tract conveyed to Roger D. Powell and wife in Book 2244, Page 281, Wake County Registry, thence along a new line 30 feet west of and parallel to the Powell east property line the following courses and distances: South 15° 13' West 541.70 feet to a point; thence South 23° 58' West 242.46 feet to a point; thence South 26° 57' West 363.79 feet to a point in the line of Eva U. Poole, said point being 30 feet west of the southeast corner of the tract conveyed in Book 2244, Page 281, Wake County Registry; thence along the line of Eva U. Poole South 75° 0' East 60 feet to a point, said point being 30 feet east of the southwest corner of a tract conveyed to Berta S. Cochran and others by deed recorded in Book 2500, Page 50, Wake County Registry; thence along a line 30 feet east of and parallel to the west line of the said Berta S. Cochran the following courses and distances: North 26° 57' East 363.79 feet to a point; North 23° 58' East 242.46 feet to a point; North 15° 13' East 541.70 feet to a point in the center line of N. C. State Road 1142, said point being 30 feet east of the northwest corner of the said Berta S. Cochran tract; thence along the center line of N. C. State Road 1142 approximately North 70° 36' West 60 feet to the point and place of BEGINNING, being a 60-foot right-of-way for ingress and egress purposes extending from the center line of N. C. State Road 1142 in a southerly direction to the property of Eva U. Poole.

TO HAVE AND TO HOLD to the said party of the third part, her heirs and assigns, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by the party of the third part as hereinabove referred to.

IN TESTIMONY WHEREOF, the said parties of the first part and parties of the second part have hereunto set their hands and seals,

this the day and year first above written.

Roger D. Powell (SEAL)  
Roger D. Powell

Barbara H. Powell (SEAL)  
Barbara H. Powell

Clifford J. Moore, Jr. (SEAL)  
Clifford J. Moore, Jr.

Frances Jo Moore (SEAL)  
Frances Jo Moore

NORTH CAROLINA - WAKE COUNTY

I, Sharon M. Lynn, a Notary Public do hereby certify that Roger D. Powell and wife, Barbara H. Powell each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 21 day of January, 1978.

Sharon M. Lynn  
Notary Public

My Commission Expires: 9/29/81

NORTH CAROLINA - WAKE COUNTY

I, Sharon M. Lynn, a Notary Public, do hereby certify that Clifford J. Moore, Jr. and wife, Frances Jo Moore each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 21 day of January, 1978.

Sharon M. Lynn  
Notary Public

My Commission Expires: 9/29/81

NORTH CAROLINA - WAKE COUNTY

The foregoing certificate 5 of Sharon M. Lynn

Notary (Sec) Public is (are) certified to be true. This instrument was presented for registration and recorded in this office in Book 2584, Page 549.  
This 21 day of January, 1978, at 10:45 o'clock A. M.

R. B. HENDERSON, JR.  
Deputy Register of Deeds