

NORTH CAROLINA
TRANSYLVANIA COUNTY

DEED OF EASEMENT

This Deed of Easement, made and entered into this the _____ day of _____, 2023, by and between **TRANSYLVANIA COUNTY BOARD OF EDUCATION, (Grantor), and the TOWN OF ROSMAN, A North Carolina Municipal Corporation, (Grantee);**

WITNESSETH:

THAT WHEREAS, the Grantee is desirous of placing water and sewer lines across an easement as described herein.

THAT FURTHER, the Grantee is desirous of erecting a proposed bridge leading from the property of the Grantor to the easement area herein granted; and whereas, such a grant is beneficial both to the Grantor and the Grantee.

NOW, THEREFORE, the Grantor, for good consideration, does hereby grant and convey unto the Grantee a perpetual right and easement to construct and maintain over and across the land of the Grantor underground water and sewer lines extending along the course and distance of the easement herein described together with the right, privilege and easement to go upon the lands of the Grantor whenever the same is reasonably necessary for the purpose of inspecting, maintaining, repairing and constructing said water and sewer lines; and in constructing and repairing said sewer lines, the Grantee shall remove all surplus earth, make level the surface of the ground above the lines and interfere as little as reasonably possible with any improvements upon the land of the Grantor. This Easement is more fully shown on a plat recorded in Plat File 23, Page 95 in the office of the Register of Deeds for Transylvania County.

FURTHER, with this Easement, it is further conveyed to the Grantee the right and privilege to construct and maintain a pedestrian bridge along said easement area which will benefit both the Grantor and Grantee, and it is further conveyed the right, privilege and easement to install and maintain a sewer pump station located as shown on the plat of the subject premises as a semi-triangular area located North 26 deg. 10 min. 40 sec. West 100.00 feet from the intersection of the French Broad River with a branch; further, located North 26 deg. 10 min. 40 sec. 56.68 feet to an iron rod, North 29 deg. 57 min. 41 sec. West 93.13 feet to an iron rod, all as shown on the plat of the subject premises in Plat File 23, Page 95 in the office of the Register of Deeds of Transylvania County.

FURTHER, These easement(s) and appurtenances are shown on a plat prepared by E. Roger Raxter, PLS, on March 6, 2023 and recorded in Plat File 23, Page 95 in the office of the Register of Deeds for Transylvania County.

TO HAVE AND TO HOLD said right and easements to them, the said Grantee and its successors in title it being agreed that the right and easements herein granted are appurtenant to and run with the land herein described.

IN TESTIMONY WHEREOF, the Grantor and the Grantees have hereunto set their hands and seals the day and year first above written.

_____(SEAL)
Tawny McCoy, TCBOE Chair

_____(SEAL)
Richard Jackson, TCBOE Vice Chair

_____(SEAL)
Ron Kiviniemi, TCBOE

_____(SEAL)
Chris Wiener, TCBOE

_____(SEAL)
Tanya Dalton, TCBOE

_____(SEAL)
Brian Shelton, Mayor
Town of Rosman

Attest:

Angela H. Woodson, Town Clerk
Town of Rosman

(Town Seal)

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the County and State aforesaid, do hereby certify that Tawny McCoy personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp (or seal), this the _____ day of _____, 2023.

My Commission Expires:

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the County and State aforesaid, do hereby certify that Richard Jackson personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp (or seal), this the _____ day of _____, 2023.

My Commission Expires:

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the County and State aforesaid, do hereby certify that Ron Kiviniemi personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp (or seal), this the _____ day of _____, 2023.

My Commission Expires:

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the County and State aforesaid, do hereby certify that Chris Wiener personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp (or seal), this the _____ day of _____, 2023.

My Commission Expires:

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the County and State aforesaid, do hereby certify that Tanya Dalton personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp (or seal), this the _____ day of _____, 2023.

My Commission Expires:

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

On this _____ day of _____, 2023 personally appeared before me, the said named Brian Shelton, Mayor, Town of Rosman, to me known and known to me to be the person described in and who executed the foregoing instrument and he/she acknowledged that he/she executed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

My Commission Expires:

Notary Public

NORTH CAROLINA
COUNTY OF TRANSYLVANIA

This is to certify that on this day before me, _____, a Notary Public of the County and State aforesaid, personally came Angela H. Woodson, who, being by me duly sworn says that he/she is the Clerk of the TOWN of ROSMAN, NC; that he/she knows the common seal of said Town; and that the seal of the said Town affixed to the foregoing instrument is said common seal, and the name of said TOWN of ROSMAN, NC; was subscribed thereto by said Mayor, and the said Mayor and Clerk subscribed their names thereto and said common seal was affixed, all by the order of the TOWN of ROSMAN duly given, and that said instrument is the act and deed of said TOWN of ROSMAN.

Witness my hand and official stamp or seal, this _____ day of _____, 2023.

My Commission Expires:

Notary Public

EXHIBIT "A"

BEGINNING on a point in the center of the French Broad River, lying South 51 deg. 43 min. 23 sec. East 212.80 feet and South 87 deg. 34 min. 55 sec. East 62.64 feet to N/F N 529,824.14' E 856,583.56' ELEV:2190.5' NAD 83 (2011); thence running from said BEGINNING point, South 31 deg. 43 min. 01 sec. East to a point in the center of the French Broad River; thence South 33 deg. 02 min. 38 sec. East 155.12 feet to a point in the center of the French Broad River; thence South 34 deg. 30 min. 11 sec. East 194.14 feet to a point in the center of the French Broad River; thence South 30 deg. 44 min. 30 sec. East 185.05 feet to a point in the center of the French Broad River; thence South 31 deg. 19 min. 28 sec. East 165.66 feet to a point in the center of the French Broad River; thence leaving the center of the French Broad River and with the branch, South 45 deg. 43 min. 18 sec. West 41.90 feet; thence South 89 deg. 38 min. 35 sec. West 29.29 feet; thence North 63 deg. 54 min. 26 sec. West 28.14 feet; thence South 58 deg. 17 min. 36 sec. West 41.61 feet; thence South 76 deg. 51 min. 30 sec. West 6.56 feet; thence leaving the branch and running, North 26 deg. 10 min. 40 sec. West 100.00 feet to an iron rod; thence North 26 deg. 10 min. 40 sec. West 56.68 feet to an iron rod; thence North 29 deg. 57 min. 41 sec. West 93.13 feet; thence North 24 deg. 39 min. 32 sec. West 85.40 feet to an iron rod; thence North 27 deg. 54 min. 29 sec. West 50.05 feet to an iron rod; thence North 31 deg. 33 min. 25 sec. West 99.72 feet to an iron rod; thence North 32 deg. 07 min. 35 sec. West 319.91 feet to an iron rod; thence North 32 deg. 07 min. 35 sec. West 115.00 feet to an iron rod; thence North 32 deg. 07 min. 35 sec. West 37.38 feet to an iron rod; thence North 62 deg. 01 min. 42 sec. East 13.21 feet; thence North 42 deg. 06 min. 14 sec. East 12.45 feet; thence North 75 deg. 04 min. 42 sec. East 66.21 feet to the point and place of BEGINNING, in the plat of the Town of Rosman, a North Carolina Municipal Corporation, as described and recorded in Plat File _____, Slide _____ in the office of the Register of Deeds of Transylvania County.

This Easement is across a portion of the property owned by the Transylvania County Board of Education per Deed Book 202, Page 554 of the Transylvania County Registry.