

Prepared By: Attorney General's Office / Property Control Section
Post Office Box 629, Raleigh, NC 27602
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STATE OF NORTH CAROLINA

EASEMENT

COUNTY OF CHATHAM

THIS EASEMENT, made and entered into as of the date set forth in the notary acknowledgment below, by and between the **STATE OF NORTH CAROLINA**, a body politic and corporate, hereinafter referred to as GRANTOR, and the **TOWN OF PITTSBORO**, a municipal corporation, hereinafter referred to as GRANTEE;

WITNESSETH :

THAT, WHEREAS, the University of North Carolina at Chapel Hill, has authorized and approved the execution of this instrument for the purposes herein expressed;

WHEREAS, the execution of this instrument for and on behalf of the State of North Carolina has been duly approved by the Council of State by resolution adopted at a meeting held in the City of Raleigh, North Carolina, on the 6th day of October, 2015;

WHEREAS, Grantor is the owner of a certain parcel of land located on Russet Run, Pittsboro, Chatham County improved with the Carolina Living and Learning Center and more particularly identified by Deed Book 529, Page 954, Chatham County Registry (hereinafter the "Property"); and

WHEREAS, Grantee is seeking to install and maintain an upgraded sanitary sewer line

and sanitary sewer pump station located on the Property.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) the receipt of which is hereby acknowledged, the Grantor does hereby grant unto Grantee, its successors and assigns, the right, privilege and easements, to construct, install, operate and maintain sewer lines and a sanitary sewer pump station across the lands of Grantor, situated in the Center Township, County of Chatham, North Carolina, and more particularly described as follows:

BEING that certain parcel of land described by metes and bounds and as shown on the attached exhibits containing 0.274 acres (11,915.87 square feet), more or less according to a plat entitled "Permanent Access and Maintenance Easement Plat for Town of Pittsboro, Property of State of North Carolina, Center Township, Chatham County, North Carolina," prepared by James S. Armstrong, PLS, Withers & Ravenel, dated February 17, 2014, reference to which is made hereto and incorporated herein for a more particular description (hereinafter referred to as the "EASEMENT").

IT IS UNDERSTOOD AND AGREED BETWEEN THE GRANTOR AND GRANTEE:

1. Grantor reserves the right to utilize the area within the area of the easement described above for all purposes not inconsistent with the easement rights herein conveyed.
2. The facilities erected hereunder shall remain the property of Grantee. Grantee shall have the right to inspect, rebuild, remove, repair, improve, relocate on the areas above described, and make such changes, alterations, substitutions, additions to or extensions of its facilities as Grantee may from time to time deem advisable.
3. For the purpose of constructing, inspecting, maintaining or operating its facilities, Grantee shall have the right of ingress to and egress from the easement area over the lands of Grantor adjacent to the easement areas and lying between public or private roads and the easement area in such manner as shall occasion the least practicable damage and inconvenience to Grantor.
4. Grantee shall repair damage to roads, fences or other improvements and shall pay Grantor for other damage done in the process of the construction, inspection, or maintenance of Grantee's facilities, or in the exercise of its right of ingress and egress.
5. If said underground sanitary sewer line and/or sanitary sewer pump station is not operated at the location described above for a continuous period of twelve (12) months, the easement herein granted shall be deemed abandoned.
6. It is further understood and agreed that this conveyance is made subject to the condition that the Grantee shall properly obtain all necessary permits required by State and

federal law. Failure to obtain such permits in a timely manner shall be deemed an abandonment of said easement.

TO HAVE AND TO HOLD the aforesaid rights, privileges and easements unto said Grantee, its successors and assigns, for so long as Grantee maintains said underground sanitary sewer line and no longer.

IN TESTIMONY WHEREOF, the STATE OF NORTH CAROLINA has caused this instrument to be executed in its name by PAT McCRORY, Governor, attested by ELAINE F. MARSHALL, Secretary of State, and the Great Seal of the State of North Carolina to be hereto affixed by virtue of the power and authority aforesaid.

Beginning at an existing rebar on the northern right of way of Russett Run (60' Public R/W), said rebar being North 27°17'06" East 14,525.87 feet from NCGS Survey Monument "ADMIN", said monument having NC grid coordinates (NAD 83 - 2011) of N=717,171.90, E=1,945,477.51, thence from said beginning point leaving said right of way North 17°59'42" East 100.00 feet to a point, thence South 72°00'18" East 125.00 feet to a point, thence South 17°59'42" West 95.17 feet to a point on the northern right of way of Russett Run (60' Public R/W), thence with said right of way along a curve to the left having a radius of 579.94 feet, an arc length of 125.34 feet, and a chord bearing and distance of North 74°13'03" West 125.09 feet to a point and place of beginning, containing 0.274 acres (11,915.87 square feet) more or less according to a plat entitled "Permanent Access and Maintenance Easement Plat for Town of Pittsboro Property of State of North Carolina" prepared by James S. Armstrong, PLS, Withers & Ravenel, dated 2-17-14, reference to which is hereby made for a more particular description.

