

RIGHT OF WAY AGREEMENT

RETURN TO
DIVISION RIGHT OF WAY AGENT
P. O. BOX 1067
ABERDEEN, N. C. 28315

02754

STATE OF NORTH CAROLINA
COUNTY OF Chatham
TOWNSHIP Center

BOOK 591 PAGE 826

PROJECT 6.522341
SECONDARY ROAD 1519

Brooks Creek Associates

WDS

the undersigned owners of that certain property described in Deed Book 495 at Page 117 in the Register of Deeds office of Chatham County, and bounded by

recognizing the benefits to said property by reason of the construction of the proposed highway development, and in consideration of the construction of said project, hereby grants to the Department of Transportation the right of way as herein described and releases the Department from all claims for damages by reason of said right of way across the lands of the undersigned, and of the past and future use thereof by the Department, its successors and assigns, for all purposes for which the Department is authorized by law to subject such right of way; said right of way being the width indicated and across said property as follows:

50 ft. in width measured 25 ft. on each side of the center line of the road, said center line to be located by the Department and the construction or improvement of said road shall constitute the selection of said center line; and such additional widths as might be necessary to provide for cut and fill slopes, sedimentation control, and drainage of road.

It is understood and agreed that the 50 ft. right of way hereinabove referred to has been staked upon the ground and the center line of the road is located in the center of the right of way stakes. It is further agreed that the property owners will erect no fencing or engage in cultivation upon the right of way described herein.

It is further understood and agreed that should circumstances, conditions, or actions by the North Carolina Department of Transportation delay or delete the proposed improvement of said road, that the right of way granted herein shall remain until such time as released by the North Carolina Department of Transportation.

This agreement also includes additional right of way area located at the intersection of the centerline of Secondary Road 1519 with the centerline of Secondary Road 1520 described as follows: Beginning at said intersection, measure 100 feet along the centerline of Secondary Road 1520 in an easterly direction, setting point A. Beginning again at said intersection, measure 100 feet along the centerline of Secondary Road 1519 in a southwesterly direction, setting point B. The additional right of way area comprises the triangle bounded by the two roads and a straight line from A to B.

There are no conditions to this agreement not expressed herein. The undersigned hereby covenant and warrant that they are the sole owners of said property; that they solely have the right to grant this right of way, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this the 30TH day of MARCH, 1992.

STATE OF North Carolina
Wake COUNTY

I, a Notary public of the County and State aforesaid, certify that William D. Dannelly, General Partner of Brooks Creek Associates, GRANTORS personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 30th day of March, 1992.

My Commission expires: 7-10-93

Barbara H. Currier
Notary Public

Brooks Creek Associates (SEAL)
By: William D. Dannelly (SEAL)
WILLIAM D. DANNELLY
General Partner (SEAL)

_____ (SEAL)

Drawn By R. L. Dunning Checked By W. H. Jensen
(For Improvement of Secondary Road) LFV
as staked out on the ground.

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FILED

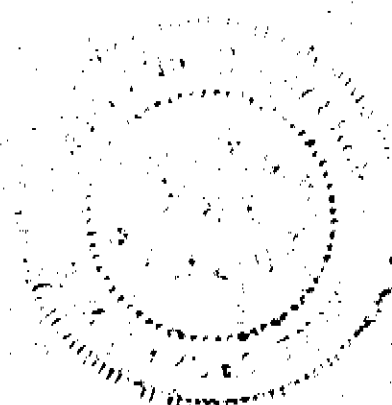
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REBA G. THOMAS
REGISTER OF DEEDS
CHATHAM COUNTY, N.C.

NORTH CAROLINA, CHATHAM COUNTY
The foregoing Certificate(s) of BARBARA H. CURRIER, Notary(ies) Public,
is(are) certified to be correct. This instrument was presented for registration at 10:24 o'clock A.M.
on April 22, 1992, and recorded in Book 591, Page 826.

Reba G. Thomas, REGISTER OF DEEDS FOR CHATHAM COUNTY

By Jean B. Deane Assistant - Register of Deeds



\$8.00