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Rodney and Norma Murphy
391 Topsail Plantation Drive
Hampstead North Carolina 28443

1/2/2025

RE: Easement question

Dear Mr. and Mrs. Murphy:

At your request, I have reviewed the real property deeds and maps for 391 Topsail Plantation Drive. The following is my legal opinion and analysis.

1. Lot 10 which is 391 Topsail Plantation Drive was part of a large tract of land purchased by James Godino and Lewis Polidor in 1975. Deed book 487 page 140 Pender County registry.
2. Thereafter James Godino became the sole owner of Lot 10 and transferred that into his Trust with his wife Florence.
3. Back in 1975 a map of the Topsail Plantation Country Club golf course was put on record at book 16 page 73 Pender Cty registry.
4. The James Godino Trust transferred Lot 10 along with other lots to Albemarle Builders Inc in 1996. See book 1161 page 5 Pender County registry.
5. In 1999 Albemarle builders Inc sold Lot 10 along with other Lots to Towano Corporation. See Book 1445 page 222 Pender County registry.
6. Towano Corporation sold Lot 10 and lot 11 to Charlie Gregory. See deed book 2833 page 101 Pender County registry.
7. All of these transfers were done based on the map at book 16 page 73.
8. At no time up to this point was there any easement placed on Lot 10.
9. Charlie Gregory purchased the property on December 1, 2005. He placed a map on record at book 40 page 110 Pender County registry on December 5th 2005 and then he sold Lot 10 to Carmina Dillow on December 7th 2005.
10. The map that Mr. Gregory created purports to show easements on Lot 10 and lot 11.
11. However, Mr. Gregory never deeded out any easement rights to any entity or person for those created easements. As such those easements are contained within the lot and are owned by the lot owner without any encumbrance by any other party. Simply creating a map that shows an easement without granting out easement rights has no effect.

12. The lot owner is free to remove those easements at any time as no one has any claim to those lands shown as an easement on either Lot 10 or 11.
13. No subsequent owner after Mr. Gregory created any rights in any third parties to the easements on Lot 10 and that includes Dillow and Vanderbilt Mortgage and Finance Inc.
14. The current owners of the property Rodney Keith Murphy and his wife Norma Murphy are the sole owners of Lot 10 and have full and complete rights to any easements shown on Lot 10 and there is no encumbrance or claim on Lot 10 with regard to any Easement shown on a map book 40 page 110 Pender County registry.

It is my opinion that the Murphy's may sell their property Lot 10 with address of 391 Topsail Plantation Drive Hampstead North Carolina free and clear of the claim of any easement as shown on the aforesaid map.

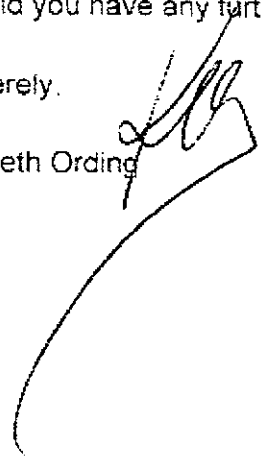
Further it is my opinion that there was no misrepresentation, to any prospective purchasers since the easement that has been drawn on the aforesaid map has no effect on the owner's rights with regard to Lot 10.

Additionally, any attorney performing a full and complete title search would have been able to learn and disclose these facts to their client. A title search is considered part of the due diligence.

Should you have any further questions please feel free to contact me.

Sincerely,

Kenneth Ording

A handwritten signature in black ink, appearing to read 'K. Ording', is written over a large, thin, curved line that sweeps from the bottom left towards the right. The signature is positioned above the printed name 'Kenneth Ording'.

