

Image ID: 000001446833 Type: CRP
Recorded: 07/30/2008 at 10:01:16 AM
Fee Amt: \$23.00 Page 1 of 4
Excise Tax: \$0.00
Craven, NC
Sherril B. Richard Register of Deeds
BK 2746 PG 280

**NORTH CAROLINA
CRAVEN COUNTY**

THIS DEED EASEMENT is made this 2nd day of MAY, 2008 by and between CRAYTON ASSOCIATES PARTNERSHIP ("Grantor"); and the CITY OF NEW BERN, a North Carolina municipal corporation ("Grantee");

WITNESSETH:

THAT for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, and in further consideration of the benefits accruing and which may accrue by the installation of a water main through the property hereinafter described, the Grantor does hereby give, grant, and convey unto the Grantee a perpetual right and easement to construct and maintain, across the land of the Grantor herein below described, an underground water main together with a perpetual right of ingress, egress and regress along the line of said water main on the property of said Grantor for the purpose of laying, constructing, replacing, enlarging, repairing, maintaining and perpetually operating said water main; PROVIDED, nothing herein shall interfere with the Grantor's access to their property, HOWEVER, that in constructing, maintaining and repairing said water main, said Grantee shall remove all surplus earth, if any, make level the surface of the ground above

the water line, and interfere as little as is reasonably possible with any planting or other improvements upon the property of the Grantor, and shall restore the work area as nearly to its preconstruction condition as is reasonably practicable, as soon as possible.

THE PROPERTY over which said permanent easement is granted is more particularly described as follows:

A UTILITY EASEMENT ON THE PROPERTY OF
CRAYTON ASSOCIATES PARTNERSHIP PARCEL NO: 8-240-117,
OFF ATLANTIC & EAST CAROLINA RAILROAD RIGHT-OF-WAY

Beginning at an existing iron pipe located in the southerly right-of-way line of the Atlantic & East Carolina Railroad at the northwest corner of the herein described utility easement and land of Crayton Associates Partnership; thence S.73°-52'-04"E., 29.89 ft. along said railroad line to a point; thence through land of Crayton Associates Partnership S.57°-12'-40"W., 11.70 ft.; S.03°-20'-21"W., 37.99 ft.; S.74°-33'-10"E., 1,930.63 ft.; S.15°-58'-57"W., 141.30 ft. and S.73°-57'-29"E., 36.98 ft. to a point at land common area, Fairmount Way, Phase II; thence along the common boundary line S.30°-13'-59"E., 30.94 ft. to a point; thence through land of Crayton Associates Partnership N.73°-57'-29"W., 59.36 ft.; N.15°-58'-57"E., 155.99 ft.; N.74°-33'-10"W., 1,925.95 ft.; N.03°-20'-21"E., 26.84 ft. and N.73°-52'-04"W., 29.67 ft. to a point at land of N/F Weyerhaeuser Company; thence along land of N/F Weyerhaeuser Company N.57°-00'-26"E., 46.29 ft. to the point of beginning.

For a more particular description see Utility Easement Plan by Rivers and Associates, Inc., certified March 14, 2007, property owner Crayton Associates Partnership, (drawing No. N-168-X), to be recorded herewith. Reference: D.B. 1250, PG. 634 and D.B. 1115, PG. 987 Craven County Registry of Deeds.

TO HAVE AND TO HOLD said right and easement to it, the said Grantee, and its successors and assigns.

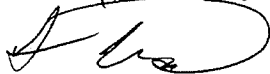
AND the Grantor covenants to and with the Grantee that they are seized in fee simple of the property through which said water main easement is granted, and that they have the right to grant said water main easement; that the said Grantee shall have quiet and peaceful use and possession of said water main easement, free from interference by all persons whomsoever.



Image ID: 000001446834 Type: CRP
Page 2 of 4

BK 2746 PG 281

IN TESTIMONY WHEREOF, the Grantors have caused this document to be executed in its corporate name by its vice President and its Corporate Seal to be affixed and attested by its ~~Asst.~~ Secretary, all by authority duly given by its Board of Directors, all as of the day and year first above written.

Name Clayton Associates
By 
Member/Manager

NORTH CAROLINA
CRAVEN COUNTY

I, Mitzie C. Flowers, Notary Public in and for said County and State, do hereby certify that W. Frank Clayton, personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed.

WITNESS my hand and official seal this the 2nd day of May 2008.

Notary Public Mitzie Flowers

My Commission Expires: May 1, 2010

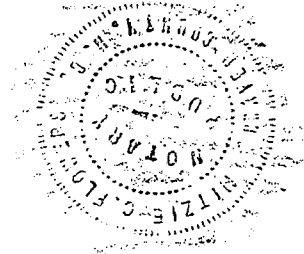



Image ID: 000001446835 Type: CRP
Page 3 of 4

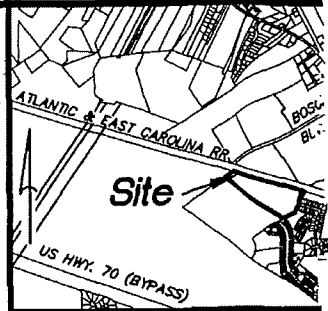
BK 2746 PG 282

N.C.G.S. HOPIE AZ MK (NAD83/86)
 NORTHING: 516,533.1894 US FT
 EASTING: 2,557,072.2349 US FT
 S 42°50'51" E 10325.44' (TIE-GROUND)
 10324.20' (GRID, C.F. 0.99988029)
 N.C.G.S. CLARKS (NAD83/86)
 NORTHING: 509,909.1311 US FT
 EASTING: 2,548,100.0088 US FT

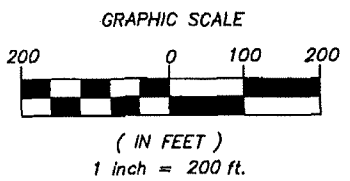
REFERENCE
 D.B. 1250 PG 634
 D.B. 1115 PG. 987
 PARCEL ID : 8-240-117

LINE	BEARING	LENGTH
L1	S 73°57'29" E	36.98
L2	S 30°13'59" W	30.94
L3	N 73°57'29" W	59.36
L4	N 73°52'04" W	29.67
L5	N 57°00'26" E	46.29
L6	S 73°52'04" E	29.89
L7	S 57°12'40" W	11.70
L8	S 57°12'40" W	34.73
L9	N 03°20'21" E	26.84

REVIEW OFFICER **CRAVEN COUNTY**
J. L. Deuchey
 A REVIEW OFFICER OF THE CRAVEN COUNTY, N.C.,
 CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
 CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
 REQUIREMENTS FOR RECORDING.
 BY *J. L. Deuchey*
 REVIEW OFFICER
 DATE *7/24/07*
 I HEREBY CERTIFY THAT NO APPROVAL IS
 REQUIRED BY THE CRAVEN COUNTY PLANNING
 DEPARTMENT.



LEGEND
 N/F = NOW OR FORMERLY
 D.B. = DEED BOOK
 P.G. = PAGE
 P.C. = PLAT CABINET
 E.I.P. = EXISTING IRON PIPE
 P.N. = PARCEL ID



EASEMENT AREA IN GAP
 1,042.1 S.F. ±
 EASEMENT AREA
 35,724.8 S.F. ±
 EASEMENT AREA = 36767.1 SF ±
 DRAWING NO. N-168-X
 SCALE 1"=200' DRAFT PH



CRAYTON ASSOCIATES PARTNERSHIP
 D.B. 1250 PG. 634
 D.B. 1115 PG. 987
 P.C. H-27-B
 P.N. 8-240-117

WETLAND LIMITS BASED ON DELINEATION
 MAP PREPARED BY RIVERS AND
 ASSOCIATES, DATED 5-03-06
 Image ID: 000001446836 Type: CRP
 Page 4 of 4

BK 2746 PG 283

CRAVEN COUNTY PLANNING DEPARTMENT

- NOTES :**
- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
 - AREA DETERMINED BY COORDINATES; NO POINT SET EXCEPT AS NOTED.
 - PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS, AND RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
 - THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPT. RIVERS AND ASSOCIATES, INC. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 - GRID NORTH BASIS AND TIE WAS ESTABLISHED FROM GPS SURVEY PERFORMED BY RIVERS AND ASSOCIATES ON NOVEMBER-DECEMBER, 2005 USING THREE TOPCON HIPER LITE RECEIVERS.
 - REFERENCE RIVERS AND ASSOCIATES DRAWING W-2870 FOR COMPLETE TOPOGRAPHIC AND PLANIMETRIC INFORMATION.

Rivers
 & Associates, Inc.
 Since 1918
 Engineers
 Planners
 Surveyors
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135

EASEMENT MAP FOR:
CITY OF NEW BERN
CITY OF NEW BERN UTILITY EASEMENT
 PROPERTY OWNER:
 CRAYTON ASSOCIATES
 P.O. BOX 12546
 NEW BERN, NC 28561
 TOWNSHIP NO. 8, CRAVEN COUNTY, N.C.

NORTH CAROLINA
CRAVEN COUNTY
 I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY BY JAMES WHITE IN JANUARY & FEBRUARY, 2007 (DEED DESCRIPTIONS RECORDED IN BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT THE GLOBAL POSITIONING OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2, STANDARDS FOR GEODETIC NETWORKS AT THE 5 CM ACCURACY CLASSIFICATION (95% CONFIDENCE) USING GPS STATIC SOLUTION AND RAPID STATIC. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1)(11)d. THAT THIS PLAT IS OF ANOTHER CATEGORY (EASEMENT PLAT). WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 14TH DAY OF MARCH, 2007.
Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR LICENSE NO. 4262

N.C.GRID (NAD 83/86) C.F. 0.99988029