

## **EASEMENT ON Lot 104R - 4 Winding Trail; Whispering Winds Subdivision**

Early in the development of Whispering Winds Subdivision, Lot 106 - 2 Winding Trail was given a reserved deeded easement on what was Lot 105. This portion of the easement now applies to the revised Lot 104R - 4 Winding Trail.

Here is a review of that deeded easement and how it applies to **Lot 104R - 4 Winding Trail**. Take a look at the attached survey. I have marked, in yellow, the area in the survey reserved for this easement. In purchasing the property, you will own the entire lot. You will not be able to build in this deeded easement area, but you can plant, cut trees, fence, or landscape in the future, however you want. Should the owners of the house at 2 Winding Trail, Lot 106 ever need to have an additional repair area for their septic system, by this easement, they will have the right to place additional underground septic lines in an area per a future plan that would be approved by the county. They could remove trees in the area where additional septic lines would be run. They would be responsible to return the area that is disturbed to its' original state, less new trees over the area where the replacement lines are run. This may never happen, or only in years to come. And only if there is a failure with their present septic system, which would require additional drainage lines and a re-designated new repair area (within this "yellow" area). This designated area would be a much smaller area than the yellow easement area, but could be placed in an area that would be designed by the county; probably close to their existing system.

For example, in permitting to build on our Lot 104R, we had to get a proposed septic plan. See the Attached Improvement Permit for our lot 104R; issued to us by the County, prior to our submitting for our Building permit. This permit has a reserve area, should it ever be needed. You will see the proposed septic field layout. You also will see a "reserve area" marked on our permit. Since starting building in 1992, I do not know of any of our homes in this subdivision which have utilize their designated repair area. Some older homes in Whispering Pines have had to utilize them. Non the less, a future repair area will always have to be approved prior being utilized in the future.

AWT  
CDM