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Recorded: 12/06/2022 at 08:55:03 AM
Fee Amt: \$31.00 Page 1 of 6
Revenue Tax: \$5.00
WAYNE COUNTY, NC
CONSTANCE B. CORAM REGISTER OF DEEDS

copy 5.00
rev 5.00

BK 3786 PG 459-464

Revenue Stamps \$ 5.00

TEMPORARY EASEMENT

THIS INSTRUMENT DRAWN BY Lloyd Johnston CHECKED BY Chad E. Freeman

RETURN TO: TELICS Right of Way Services
2540 Mill Street
Winterville, NC 28590

NORTH CAROLINA
COUNTY OF Wayne
TAX PARCEL 3529272838

TIP/PARCEL NUMBER: U-3609B 015
WBS ELEMENT: 39026.2.2
ROUTE: US 13 (Berkeley Boulevard) from SR 1003 (New Hope Road) to SR 1572 (Saulston Road)

THIS EASEMENT, made and entered into this the 11th day of September 20 22
by and between Mark Daniel Yates and wife, Leesa Yates, 3021 Sell Road, Winston Salem, NC 27105
Lena P. Yates, widow, Life Estate, 106 E. New Hope Road, Goldsboro, NC 27534-3340
Linda Carol Yates Renner, and husband, Timothy M. Renner, 14367 Surrydale Drive, Woodbridge, VA 22193
Judy Lynn Yates Culbreth and husband, Daniel Andrew Culbreth, 3229 Red Berry Drive, Wilmington, NC 28409

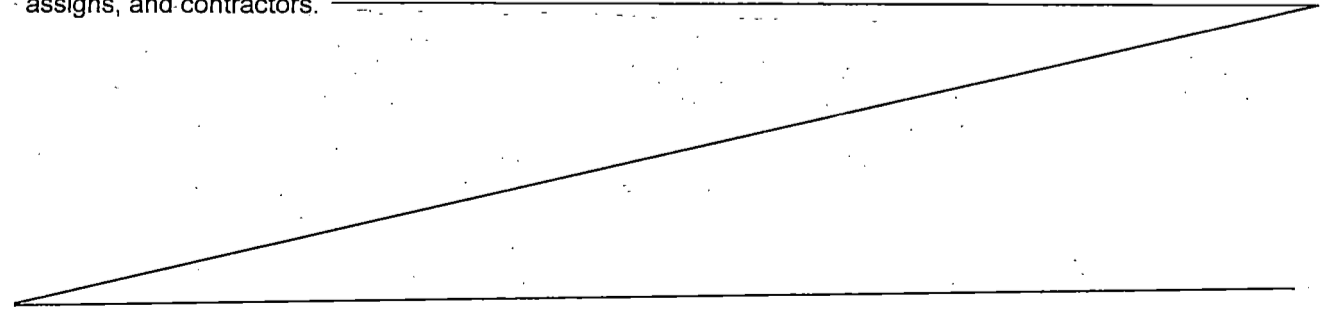
hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

THAT the GRANTORS, for themselves, their heirs, successors, executors, and assigns, for and in consideration of the sum of \$ 2,500.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors, and assigns, a temporary easement for highway purposes, subject to the terms and provisions hereinafter set forth, over a portion of real property described in deed(s) recorded in Book 1834, Page 85 in the office of the Register of Deeds of Wayne County, said easement being described as follows:

Point of beginning being S 82°37'52.7" W, 84.559 feet from -Y1- Sta. 24+00 thence to a point on a bearing of S 13°43'14.1" W 15.749 feet thence to a point on a bearing of S 77°26'15.8" E 58.875 feet thence to a point on a bearing of N 13°45'42.9" E 14.559 feet thence to a point on a bearing of N 76°16'46.2" W 58.874 feet returning to the point and place of beginning. Having an area of 892.109 Sqr feet being 0.020 acres, more or less.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area(s) until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.



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Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 39026.2.2 on file in the office of the Department of Transportation in Raleigh, North Carolina, and also on a copy of said project plans which will be recorded, pursuant to N.C.G.S 136-19.4, in the Office of the Register of Deeds of Wayne County, to which plans reference is hereby made for greater certainty of description of the easement areas herein conveyed and for no other purpose.

This EASEMENT is subject to the following terms and provisions only:

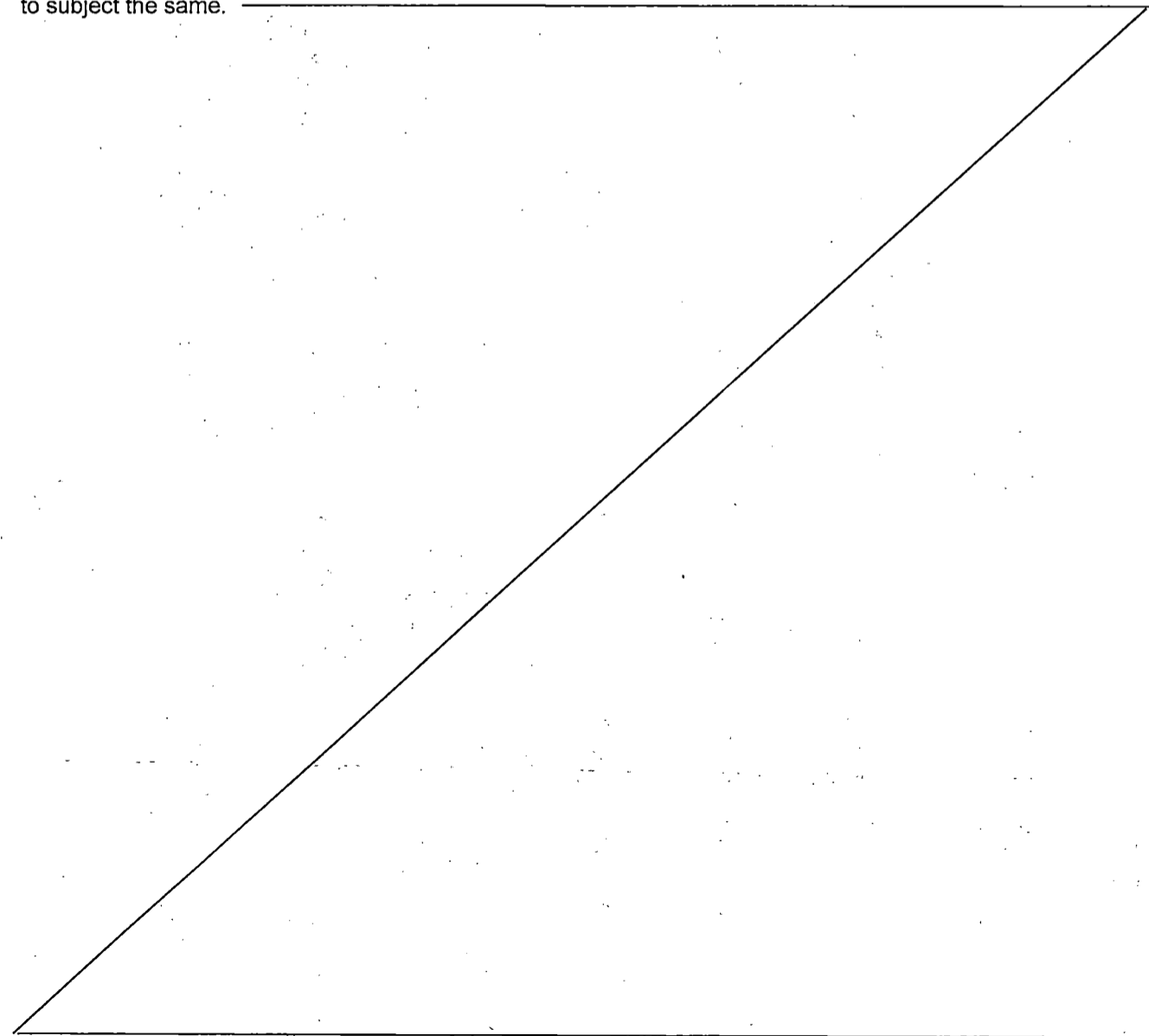
It is understood and agreed that the total consideration set forth above shall be made payable to Lena P. Yates, widow and the grantors shall have no claim against the Department as a result thereof.

The undersigned property owners request that the Department enter upon our lands outside the right of way to the extent necessary for the reconnection of our driveway and we will have no further claim as a result of said reconnection.

There are no conditions to this EASEMENT not expressed herein.

TO HAVE AND TO HOLD said temporary easement for highway purposes, subject to the terms and provisions hereinabove set forth, unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the said temporary easement; and that they will warrant and defend title to the same against the lawful claims of all persons whomsoever;

The Grantors acknowledge that the project plans for Project # 39026.2.2 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 39026.2.2, Wayne County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.



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IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Mark Daniel Yates (SEAL) Leesa Yates (SEAL)
Mark Daniel Yates Leesa Yates

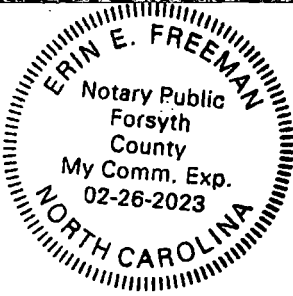
ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY:

Lloyd Johnston, Jr

 <p>(Official Seal)</p>	North Carolina, <u>Forsyth</u> County I, <u>Erin E. Freeman</u> , a Notary Public for <u>Forsyth</u> County, North Carolina, do hereby certify that <u>Mark Daniel Yates and wife, Leesa Yates</u>
	personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal this the <u>10th</u> day of <u>October</u> 20 <u>22</u> . <u>Erin E. Freeman</u> Notary Public My commission expires: _____

COUNTY: Wayne WBS ELEMENT: 39026.2.2 TIP/PARCEL NO.: U-3609B 015


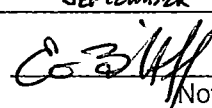
Lena P Yates (SEAL) _____ (SEAL)
Lena P. Yates

 <p>(Official Seal)</p>	North Carolina, <u>Forsyth</u> County I, <u>Erin E. Freeman</u> , a Notary Public for <u>Forsyth</u> County, North Carolina, do hereby certify that <u>Lena P. Yates</u> , widow
	personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal this the <u>10th</u> day of <u>October</u> , 20 <u>22</u> . <u>Erin E. Freeman</u> Notary Public My commission expires: <u>2/26/2023</u>

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Linda Carol Yates Renner (SEAL)
Linda Carol Yates Renner

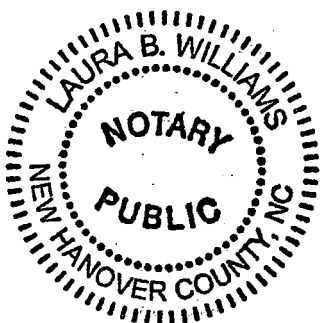
Timothy M. Renner (SEAL)
Timothy M. Renner

 (Official Seal)	State of <u>VIRGINIA</u> , <u>PRINCE WILLIAM</u> County I, <u>Eric C Bischoff</u> , a Notary Public for <u>PRINCE WILLIAM</u> County, State of <u>VIRGINIA</u> do hereby certify that <u>Linda Carol Yates Renner and husband, Timothy M. Renner</u>
	personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal this the <u>11</u> day of <u>SEPTEMBER</u> , 20 <u>22</u> .
ERIC C BISCHOFF Notary Public Commonwealth of Virginia Registration No. 7517284 My Commission Expires Sep 30, 2024	 <u>751 7284</u> Notary Public
	My commission expires: <u>30 SEP 24</u>

COUNTY: Wayne WBS ELEMENT: 39026.2.2 TIP/PARCEL NO.: U-3609B 015

Judy Lynn Yates Culbreth (SEAL)
Judy Lynn Yates Culbreth

Daniel Andrew Culbreth (SEAL)
Daniel Andrew Culbreth

 <p>(Official Seal)</p>	North Carolina, <u>New Hanover</u> County I, <u>Laura B. Williams</u> , a Notary Public for <u>New Hanover</u> County, North Carolina, do hereby certify that Judy Lynn Yates Culbreth and husband, Daniel Andrew Culbreth personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
	Witness my hand and official seal this the <u>11</u> day of <u>September</u> , 20 <u>22</u> . <u>Laura B. Williams</u> Notary Public My commission expires: <u>6/30/2025</u>