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MAIL AFTER ROBERT S. SWITZER
RETURN TO: 205 SAND DOLLAR COURT
SHEARSTOWN, NC 28586

Prepared by: Georgann Geracos, Esq.

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Mail →

STATE OF NORTH CAROLINA

1997 OCT -2 PM 3:18

ONSLow COUNTY

INGRESS AND EGRESS USE ACCESS EASEMENT

THIS DEED OF EASEMENT, entered into this the 28th day of June, 1996, by and between VILLA CAPRIANI HOMEOWNERS ASSOCIATION, INC. ("VCHOA"), a North Carolina, Not-for-Profit Corporation, having its headquarters and principal place of business in Onslow County, North Carolina, hereinafter referred to as the Grantor "VCHOA", and ISLAND DEVELOPMENT GROUP, INC. ("IDG"), a North Carolina Corporation, doing business in Onslow County, North Carolina, hereinafter referred to as "IDG";

W I T N E S S E T H

That the Grantor, "VCHOA", for itself, its successors and assigns, for and in consideration of the mutual benefits to be derived hereunder, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby give, grant and convey unto "IDG", its successors and assigns, a perpetual easement of ingress and egress to the property of "IDG" immediately behind, conterminous and contiguous to the property of "VCHOA", for the purpose of constructing an entrance way for the use of pedestrians and vehicles across a 0.07 acre portion of real property located in Stump Sound Township, Onslow County, North Carolina and across which the easement described below may pass, such entrance way may be paved and landscaped, the said paving and landscaping to be maintained by "IDG", however no signage or permanent gateway structure may be constructed upon said easement, and that "IDG" releases and holds "VCHOA" harmless from any and all claims of any nature whatsoever which may arise out of the use of the said easement, and "IDG" will indemnify "VCHOA" for any and all damages to invitees and licensees occasioned by "IDG's" negligence or criminal misconduct and arising out of the use of the easement herein granted, said easement being described as follows:

Being an ingress and egress use easement over a 0.07 acre strip of real property as shown and identified as "Ingress and Egress Use Easement 'D'" on Survey Plat Map entitled "EASEMENT MAP, VILLA CAPRIANI, NORTH TOPSAIL BEACH, STUMP SOUND TWP., ONSLOW CO., NORTH CAROLINA, ISLAND DEVELOPMENT GROUP, INC. & VILLA CAPRIANI HOMEOWNERS ASSOCIATION", dated FEBRUARY 20, 1996, prepared by Parker & Associates, Inc. and recorded in Book, 35, Page 89, slide 5-596, Onslow County Registry, to which reference is had for a more full and complete description.

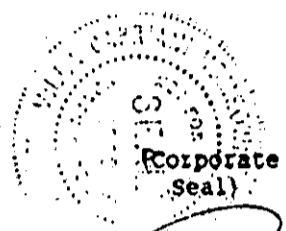
There are no conditions to this DEED OF EASEMENT not expressed herein.

TO HAVE AND TO HOLD said perpetual easement for ingress and egress access use purposes unto "IDG", its successors and assigns, and the Grantor "VCHOA", for itself, its successors and assigns, hereby warrant and covenant that it is the owner of the property or easement herein conveyed; that it has the

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right to grant this easement; and that it will forever warrant and defend title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor "VCHOA" has hereunto 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.



VILLA CAPRIANI HOMEOWNERS ASSOCIATION, INC.

By: Anthony B. Land
Vice President

ATTEST: Robert E. Switzer
Secretary

NORTH CAROLINA
ONSLow COUNTY

I, a Notary Public of the County and State aforesaid, certify that Robert E. Switzer, personally came before me this day and acknowledged that he is the Secretary of VILLA CAPRIANI HOMEOWNERS ASSOCIATION, INC. a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by Robert E. Switzer as its Secretary.

Witness my hand and official stamp or seal, this 28th of June, 1996.
My commission expires:



Catherine C. Horne
Notary Public

NORTH CAROLINA, ONSLOW COUNTY Catherine C. Horne
The foregoing certificate(s) of _____

Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in Book 1401 Page 178 This 2nd. day of October 19 97 AD. at 3:18 o'clock P. M.
Edna M. Thomas By _____
Register of Deeds, ONSLOW County Register of Deeds

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