

Revenue Stamps \$ 1.00

## TEMPORARY EASEMENT

THIS INSTRUMENT DRAWN BY William Blair Scholl CHECKED BY Dennis Peebles

RETURN TO: Anna Mitchell, Carolina Land Acquisitions  
104 East Vance Street  
Zebulon, NC 27597

NORTH CAROLINA TIP/PARCEL NUMBER: 019US15501 017  
COUNTY OF Chatham WBS ELEMENT: 44237  
TAX PARCEL 0089649 ROUTE: US Highway 64/US 15-501

THIS EASEMENT, made and entered into this the 19<sup>th</sup> day of March, 20 19  
by and between Chatham County, a North Carolina Municipal Corporation  
P.O. Box 608  
Pittsboro, NC 27312

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 \$ 1.00 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 AF, Page 399 in the office of the Register of Deeds of Chatham County, said easement being described as follows:

#### Temporary Construction Easement:

##### Area One:

Point of beginning being N 56°26'40.4" E, 146.121 feet from -L1- Sta 16+00 thence along a curve 20.894 feet and having a radius of 87.500 feet. The chord of said curve being on a bearing of N 83°58'51.9" W, a distance of 20.845 feet thence to a point on a bearing of S 0°52'32.2" E 7.365 feet thence to a point on a bearing of S 84°3'43.4" E 19.101 feet thence to a point on a bearing of N 12°45'5.4" E 7.335 feet returning to the point and place of beginning.

##### Area Two:

Point of beginning being S 40°40'58.8" E, 115.829 feet from -L1- Sta 16+00 thence along a curve 178.216 feet and having a radius of 87.500 feet. The chord of said curve being on a bearing of N 49°28'47.3" E, a distance of 148.970 feet thence to a point on a bearing of S 80°53'13.3" W 6.971 feet thence along a curve 164.481 feet and having a radius of 80.500 feet. The chord of said curve being on a bearing of S 49°25'17.9" W, a distance of 137.326 feet thence to a point on a bearing of S 17°57'22.5" W 6.681 feet returning to the point and place of beginning.

##### Area Three:

Point of beginning being N 45°25'24.7" E, 24.661 feet from -L1- Sta 16+00 thence along a curve 36.935 feet and having a radius of 87.500 feet. The chord of said curve being on a bearing of S 2°21'55.9" W, a distance of 36.662 feet thence to a point on a bearing of N 80°31'1.3" E 7.025 feet thence along a curve 33.941 feet and having a radius of 80.500 feet. The chord of said curve being on a bearing of N 2°35'44.2" E, a distance of 33.690 feet thence to a point on a bearing of N 75°19'33.0" W 7.176 feet returning to the point and place of beginning.

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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 temporary easement area(s) until such time that the property owners alter the adjacent lands in such a manner that the cut and/or fill slopes are no longer needed for the lateral support of the roadway. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits and beyond any permanent easement areas will terminate upon completion and acceptance 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.

Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 44237 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 Chatham 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:

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 # 44237 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 # 44237, Chatham 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.

Chatham County, a North Carolina Municipal Corporation

(Corporate Seal)

By: \_\_\_\_\_ (SEAL)  
Michael Dasher Chairman

Attest: \_\_\_\_\_ (SEAL)  
Lindsay Ray Clerk

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: \_\_\_\_\_

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that
	_____ personally came before me this day and acknowledged that she is the CLERK of the CHATHAM COUNTY BOARD OF COMMISSIONERS, and that
	by authority duly given, the foregoing instrument was signed in its name by its CHAIRMAN of the CHATHAM COUNTY BOARD OF COMMISSIONERS, sealed with its corporate seal, and attested by _____ as its CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 19 _____.
	_____ Notary Public
	My commission expires: _____