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Filed for registration on the 3rd day of August 20 04
at 10:43 o'clock A. M and registered in the office of the Register
of Deeds of Sampson County on the 3rd day of August
20 04 in Book No. 1550 Page No. 818
MAE H. TROUBLEFIELD
Register of Deeds
By: Sharon E Cart Deputy

Revenue Stamps $ -0-

PERMANENT UTILITY EASEMENT

THIS INSTRUMENT DRAWN BY MHH CHECKED BY Eric Day

Return to: NCDOT
✓ 3113 N. Kerr Avenue
Wilmington, NC 28405

NORTH CAROLINA
COUNTY OF Sampson

TAX PARCEL 1444-19-51-9932

STATE HIGHWAY PROJECT: 34381.4.2
PARCEL NUMBER: R-2204WM 001
ROUTE: NC 242

THIS AGREEMENT, entered into this the 6 day of July, 2004, by and between Amos R. Butler and wife Alice R. Butler
P.O. Box 276 Roseboro, NC 28328
hereinafter referred to as the GRANTORS, and the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT.

WITNESSETH

THAT WHEREAS, the DEPARTMENT desires to construct and maintain a utililty facility through and across the property of GRANTORS,

AND WHEREAS, GRANTORS, recognizing the benefits accruing to their said property through the construction and maintenance by the DEPARTMENT of roads and highways upon or in the vicinity of said property of GRANTORS,

NOW, THEREFORE, in consideration of said benefits, and further consideration of $ 1.00 and other valuable considerations, GRANTORS hereby release the DEPARTMENT, its successors and assigns, from any and all claims for damages by reason of the construction and maintenance of said utility facility across and through the lands of GRANTORS, and GRANTORS hereby give, grant, bargain, sell and convey unto the DEPARTMENT, its successors, and assigns, an easement for the construction and maintenance of a utility facility across and through the property of GRANTORS located in Little Coharie Township, Sampson County, and being more fully described in a deed recorded in Book 779, Page 293, Sampson County Registry, said easement being described as follows:

Alice R Butler Amos Butler

An area shown as "20 foot New Sanitary Sewer Easement" on that Plat recorded in Plat Book 50, Page 12, of the Sampson County Registry.

Amos Butler Alice R Butler

The plat showing the above described area is recorded in Plat Book 50, Page 12 of the Sampson County Registry, and on file in the Office of the Department of Transportation in Raleigh, North Carolina, reference to which plat is hereby made for purposes of further description and for greater certainty.

County: Sampson **Project: 34381.4.2** **Parcel: R-2204WM 001**

This agreement is subject to the following provisions only:
Said utility easement in perpetuity is for the installation and maintenance of utilities, for all purposes for which the DEPARTMENT is authorized by law to subject same. This DEPARTMENT and its agents and assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises, a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility line(s) and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same and with the right at all times of ingress, egress, and regress.

There are no conditions to this agreement not expressed herein. GRANTORS, their heirs and assigns, hereby covenant to and with the DEPARTMENT that they are the sole owners of the hereinabove described property; that they solely have the right to grant this easement; and that they will forever defend the same against the lawful claims of all persons whomsoever.

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.

Amos R. Butler (SEAL)
Amos R. Butler

Alice R Butler (SEAL)
Alice R. Butler

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION
BY: JUL 14 2004

M. H. THOMPSON, JR. NOTARY PUBLIC NEW HANOVER COUNTY, N.C.
(Stamp/Seal)

STATE OF North Carolina COUNTY OF New Hanover
I, M. H. Thompson Jr. a Notary Public for said County and State, so hereby certify that Amos R. Butler and Alice R. Butler

GRANTORS, personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this the 6 day of July, 2004.

My commission expires 5-6-2007 MHT
Notary Public

The foregoing Certificate(s) of M.H. Thompson New Hanover Co. N.C. Notary Public is/~~are~~ certified to be correct. This instrument and this certificate are duly registered on the 3rd day of August, 20 04 in Book 1550, Page 818 at 10:43 o'clock A M.
Mae H. Troublefield REGISTER OF DEEDS FOR Sampson COUNTY
BY: Sharon E. Carter Deputy/~~Assistant~~ - Register of Deeds