

Excise Tax: \$2.00

Brief Description for Index: Lot 2, Block M, Heather Hills Subdivision, Section 4, according to map recorded in Book of Maps 1974, Page 247, Wake County Registry

PIN#: 1710048762

Prepared by W. Thaddeus Anderson, Attorney at Law

After recording, mail to: Town Clerk, Town of Garner, 900 7th Avenue, Garner, NC 27529

NORTH CAROLINA

WAKE COUNTY

TIMBER DRIVE EASEMENT

THIS DEED OF EASEMENT, made and executed this ____ day of July, 2019, by Lennie T. Gardner, Jr. and Christy B. Gardner, 6101 Quail Side Ct., Raleigh, NC 27603-9447 (hereinafter referred to as the "Grantors"), to the TOWN OF GARNER, a municipal corporation of the State of North Carolina, 900 7th Avenue, Garner, NC 27529, (hereinafter referred to as the "Town" or as "Grantee"):

WITNESSETH:

WHEREAS, the Grantors are the owners of real property shown on the plat referenced herein and has agreed to convey to the Town of Garner, according to the terms set forth below, the temporary construction easement hereinafter described.

NOW, THEREFORE, for One Dollar and other good and adequate consideration paid to the Grantors, receipt of which is hereby acknowledged, the Grantors do hereby grant unto the Town, its successors and assigns, a temporary construction easement to assist in sidewalk construction, in, upon, and across the property of the Grantors, which easement are more particularly located and described as follows:

BEING a temporary construction easement on that property with the PIN# 1710048762, as shown on that plat entitled project reference number C-5604RA prepared by SEPI, Inc. dated 6/6/2019 on file at the Garner Town Hall.

TO HAVE AND TO HOLD the aforesaid temporary construction easement and all privileges and rights thereunto belonging, for the duration of the construction project and no longer, to the Town, and its contractors, successors and assigns. The contractor is authorized hereunder to enter upon said easements, to grade, and otherwise use the construction easement as necessary to construct the sidewalk and to re-seed the area afterwards.

The foregoing temporary construction easement herein shall be binding upon the heirs, successors and assigns of the Grantors in accordance with the above terms.

And the Grantors do covenant that they are vested of the premises in fee and have the right to convey said easement, and that they will warrant and defend title to the same against the claims of all persons.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first-above written.

_____(SEAL)
LENNIE T. GARDNER, JR.

_____(SEAL)
CHRISTY B. GARDNER

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that _____

personally appeared before me this day and affixed their signatures to the foregoing instrument for the purposes and intents therein expressed.

Witness my hand and official seal, this the _____ day of July, 2019.

Notary Public

(Printed name)

My Commission Expires: _____