

Revenue Stamps \$ NTC

TEMPORARY EASEMENT

THIS INSTRUMENT DRAWN BY Heather Fulghum CHECKED BY Stephen C. Frey

RETURN TO: NCDOT Division 7 RAW Agent Heather Fulghum
1101 East Wendover Ave, Suite 200
Greensboro, NC 27406

NORTH CAROLINA	TIP/PARCEL NUMBER: <u>U-5169/052</u>
COUNTY OF <u>GUILFORD</u>	WBS ELEMENT: <u>45220.2.1</u>
TAX PARCEL <u>0200170</u>	ROUTE: <u>I-74/US311 And NC 68</u>

THIS EASEMENT, made and entered into this the _____ day of _____ 20____
by and between _____
CITY of HIGH POINT

_____ PO BOX 230
_____ HIGH POINT NC 27261

_____ Property Location: 1841 Eastchester Drive

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 \$ 0 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 2195, Page 15 in the office of the Register of Deeds of Guilford County, said easement being described as follows:

Temporary Construction Easement described as follows

Point of beginning being N 73°00'30.8" W, 48.261 feet from -Y-, Sta. 57+00; thence to a point on a bearing of N 38°10'27.7" E, 55.637 feet; thence to a point on a bearing of N 07°22'19.7" W, 21.014 feet; thence to a point on a bearing of S 46°16'11.7" W, 71.010 feet; thence to a point on a bearing of S 51°42'30.1" E, 12.954 feet; thence to a point on a bearing of S 51°42'30.1" E, 12.046 feet; returning to the point and place of beginning.

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 after 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.

COUNTY: Guilford WBS ELEMENT: 45220.2.1 TIP/PARCEL NO.: U-5169/052

Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 45220.2.1 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 Guilford 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:

None

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 # 45220.2.1 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 # 45220.2.1

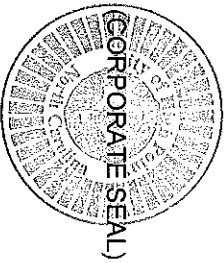
Guilford County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

COUNTY: Guilford WBS ELEMENT: 45220.2.1 TIP/PARCEL NO.: U-5169/052

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.

CITY of HIGH POINT



BY: Will S. Bencin
William S. Bencin, Mayor of High Point
(Printed Name)

ATTEST: Lisa B. Vierling
Lisa B. Vierling, Clerk of the City of
(Printed Name) High Point

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, <u>Guilford</u> County, <u>Kimberly J. Thore</u> , a Notary Public for <u>Rockingham</u> County, North Carolina, certify that <u>Lisa B. Vierling</u> personally came before me this day and acknowledged that he/she is the CLERK of the CITY OF <u>HIGH POINT</u> , and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the CITY OF <u>HIGH POINT</u> , sealed with its corporate seal, and attested by <u>Lisa B. Vierling</u> as its CITY CLERK.
	Witness my hand and official seal this the <u>17</u> day of <u>March</u> , 20 <u>11</u> .
Kimberly J. Thore NOTARY PUBLIC Rockingham County, NC	<u>[Signature]</u> Notary Public My commission expires: <u>9/27/2021</u>