

Prepared by:
Gayle E. Ramsey

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STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

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RIGHT-OF-WAY AGREEMENT

THIS RIGHT-OF-WAY AGREEMENT, made and entered into this
7th day of August, 1980, by the undersigned owners of tracts
of Blue Ridge Lake property, each of whose name and tract is
listed on the page which is attached hereto, designated as
"Exhibit A" and incorporated herein by reference,

W I T N E S S E T H:

THAT WHEREAS, the said parties hereto are owners of tracts
of land which are located in Hogback Township, Transylvania
County, North Carolina, said lands being traversed by a private
unnamed road which runs across said lands in a generally north-
erly direction to the public road; and

WHEREAS, a question has arisen concerning the right of each
of the parties hereto to use the private unnamed road hereinabove
referred to as a means of access to their lands hereinabove
referred to from the public road, said private unnamed road being
located approximately within the area shown on the plat which is
attached hereto, designated as "Exhibit B" and incorporated
herein by reference; and

WHEREAS, each of said property owners agrees that it would
be in their mutual best interests to establish a right-of-way
along said private unnamed road to serve the six (6) tracts of
land hereinabove referred to.

NOW, THEREFORE, in consideration of the mutual rights and
advantages herein set out, it is mutually agreed that each of the
parties hereto shall have a right-of-way for road purposes to the
public road over and along the private unnamed road hereinabove
referred to as the same is now located, and each of said parties
hereby gives, grants and conveys to the other parties a perpetual
road right-of-way and easement over and along said private

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unnamed road, as the same is now located, to the public road with said right-of-way to be for travel of all kinds, on foot and with all types of vehicles, with the right of ingress, egress and regress over and along the same in common with all others entitled to the use thereof with it being further mutually agreed that each of the parties hereto and all succeeding owners of the six (6) tracts of land hereinabove referred to shall bear their pro rata share of the annual costs of repairing and maintaining the private unnamed road hereinabove referred to in the event that they actually use said road, however, no owner of any of the tracts of land hereinabove referred to who does not actually use said road shall be obligated to share in the expense of repairing and maintaining said road so long as that particular owner shall refrain from using said road.

It is also agreed that the rights and easements hereby granted are for the common use of, are appurtenant to and run with each of the six (6) tracts of land hereinabove referred to which are traversed by the private unnamed road hereinabove referred to.

IN TESTIMONY WHEREOF, the parties hereto have hereunto set their hands and seals, this the day and year first above written.

Fred C. Byers (SEAL)
Fred C. Byers

Helen A. Byers (SEAL)
Helen A. Byers

Leming B. Corlis (SEAL)
Leming B. Corlis

Enid M. Corlis (SEAL)
Enid M. Corlis

Kathleen M. Apeland (SEAL)
Kathleen M. Apeland

E. G. Timmons (SEAL)
E. G. Timmons

Maria K. Timmons (SEAL)
Maria K. Timmons

T. D. Livingston (SEAL)
T. D. Livingston

June Livingston (SEAL)
June Livingston

SOVEREIGN INVESTMENTS, S.A.

By: Lynette Antonie
President

ATTEST:

[Signature]
Secretary

STATE OF North Carolina
COUNTY OF Transylvania

I, Susan Broadbent, a Notary Public in and for said County and State, do hereby certify that FRED C. BYERS and wife, HELEN A. BYERS, personally appeared before me this day and acknowledged the due execution by them of the foregoing right-of-way agreement for the purposes therein set forth.

WITNESS my hand and Notarial Seal, this the 7th day of August, 1981.

[Signature]
Notary Public

My Commission expires: February 18, 1985.

STATE OF North Carolina
COUNTY OF Transylvania

I, Susan Broadbent, a Notary Public in and for said County and State, do hereby certify that LEMING B. CORLIS and wife, ENID M. CORLIS, personally appeared before me this day and acknowledged the due execution by them of the foregoing right-of-way agreement for the purposes therein set forth.

WITNESS my hand and Notarial Seal, this the 7th day of August, 1981.

[Signature]
Notary Public

My Commission expires: February 18, 1985.

STATE OF North Carolina
COUNTY OF Transylvania

I, Susan Broadbent, a Notary Public in and for said County and State, do hereby certify that KATHLEEN M. APELAND, Widow of Andrew H. Apeland, personally appeared before me this day and acknowledged the due execution by her of the foregoing right-of-way agreement for the purposes therein set forth.

WITNESS my hand and Notarial Seal, this the 7th day of August, 1981.

[Signature]
Notary Public

My Commission expires: February 18, 1985.

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STATE OF North Carolina
COUNTY OF Transylvania

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I, Susan Bradshaw, a Notary Public in and for said County and State, do hereby certify that E. G. TIMMONS and wife, MARIA K. TIMMONS, personally appeared before me this day and acknowledged the due execution by them of the foregoing right-of-way agreement for the purposes therein set forth.

WITNESS my hand and Notarial Seal, this the 7th day of August, 1981.

Susan Bradshaw
Notary Public

My Commission expires: January 18, 1985.

City of Freeport
PANAMA ISLANDS

I, the undersigned DIEREK HIGGS, do hereby certify that LYNETTE A. ANTONI, personally came before me this day and acknowledged that she is the President and that IAN J. JARVIS is the Secretary of SOVEREIGN INVESTMENTS, INC., a Panamanian corporation, a corporation described in and which executed the foregoing instrument, that she knows the common seal of said corporation, that the seal affixed to the foregoing instrument is said common seal, and the name of the corporation was subscribed thereto by its President and that the said President and Secretary subscribed their names thereto and the said common seal was affixed, all by order of the Board of Directors of said corporation, and that the said instrument is the act and deed of said corporation, and the undersigned does state that she is, as of the date of this certificate, a Bahamian Citizen

WITNESS my hand and seal, this the 21st day of May, 1981.

[Signature]
Title: _____

Date of Expiration of Commission:

31/12/81

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

I, Susan Bradshaw, a Notary Public in and for said County and State, do hereby certify that T. D. LIVINGSTON and wife, JUNE LIVINGSTON, personally appeared before me this day and acknowledged the due execution by them of the foregoing right-of-way agreement for the purposes therein set forth.

WITNESS my hand and Notarial Seal, this the 14th day of August, 1981.

Susan Bradshaw
Notary Public

My Commission expires: January 18, 1985.

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

The foregoing certificates of SUSAN BREEDLIVE
AND DEREK HIGGS, Notary (ies) Public, are
certified to be correct. This instrument was presented for
registration and was duly recorded in this office in Book 2498,
Page 416, Records of Deeds.

This the 4 day of JUNE, 1981, at 1130 o'clock
A.M.

[Signature]
Register of Deeds

By: _____
Deputy Register of Deeds

