


2006005481


 TRANSYLVANIA CO, NC FEE \$20.00
NO TAXABLE CONSIDERATION
 PRESENTED & RECORDED:
 06-30-2006 03:26:19 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: D REE MCCALL
 DEPUTY REGISTER OF DEEDS
BK:DOC 357
PG:160-162

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax -0-

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
 Verified by _____ County on the 30 day of June, 2006
 by _____ SM

Mail after recording to Margaret M. Hunt

This instrument was prepared by Margaret M. Hunt

Brief description for the Index Lot 164R, Eagle Lake

THIS DEED make this 26th day of June, 2006, by and between

GRANTOR

GRANTEE

WENDELL R. ALCORN
 and wife,
KAREN Z. ALCORN

Wendell R. Alcorn and Karen Z. Alcorn Co-Trustees of the
WENDELL R. ALCORN and
KAREN Z. ALCORN FAMILY TRUST

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Dunns Rock Township, TRANSYLVANIA County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in _____

A map showing the above described property is recorded in Plat File 11, Slide 803, Records of Plats for Transylvania County, North Carolina.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, 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.

(Corporate Name)
By: _____
President

Wendell R. Alcorn (SEAL)

WENDELL R. ALCORN

Karen Z. Alcorn (SEAL)

KAREN Z. ALCORN

(SEAL)

(SEAL)

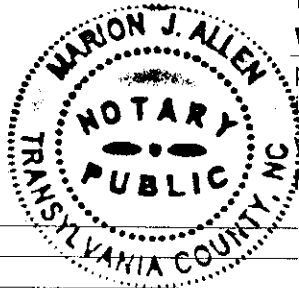
(Corporate Name)
By: _____
President

(SEAL)

(SEAL)

SEAL-STAMP

NORTH CAROLINA, Transylvania County
I, Marion J. Allen, a Notary Public of the County and State aforesaid, certify that
WENDELL R. ALCORN and wife, **KAREN Z. ALCORN** Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing
instrument.



Witness my hand and official stamp or seal, this 30th day of June, 20 06 .
My commission expires: 12/07/2010

Marion J. Allen

Marion J. Allen, Notary Public

North Carolina General Warranty Deed from **Wendell R. Alcorn** and wife, **Karen Z. Alcorn**, to Wendell R. Alcorn and Karen Z. Alcorn Co-Trustees of the **Wendell R. Alcorn and Karen Z. Alcorn Family Trust**

Exhibit A

All of Lot 164R of Eagle Lake containing 1.659 acres as shown on a plat of a survey by Clarence A. Jenkins, RLS, dated June 21, 2006 and recorded in Plat File 11, Slide 803, Records of Plats for Transylvania County, North Carolina, reference to which is hereby made for a more complete description thereof. Lot 164R is a combination of Lot 164 of Eagle Lake as that lot is more particularly described in Document Book 103, page 739, Transylvania County Registry, and the western one half of Lot 162 of Eagle Lake as that lot is more particularly described in Document Book 155, page 177, Transylvania County Registry.

Subject to restrictive covenants in Deed Book 325, page 61, amendments recorded in Deed Book 336, page 30 and Revision of the Declaration recorded in Document Book 273, page 481, Transylvania County Registry and all amendments thereto.

Subject to the right-of-way more particularly described in Document Book 357, page 151, Transylvania County Registry.

Together with a right-of-way over and across the roads in Eagle Lake Subdivision leading to the public road, said right-of-way to be in common with all others having the use thereof for purposes of ingress, egress and regress over and along the same.

The said lot shall carry with it as an appurtenancy a membership in the Eagle Lake Property Owners Association, Inc. subjecting said lot and the owners thereof to the privileges and obligations pertaining to such membership as set forth in the Association's Articles and By-Laws.

This deed is made for the purpose of consolidating Lot 164 and one half of Lot 162, Eagle Lake Subdivision, into one lot for tax mapping and billing purposes.



2020002094

TRANSYLVANIA CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED:
04-27-2020 04:09:02 PM

CINDY M OWNBEY
REGISTER OF DEEDS

BY: D REE MCCALL
DEPUTY REGISTER OF DEEDS

BK: DOC 918

PG: 571-577

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. 8594-43-6228 Verified by _____ County on the 27 day of April, 2020

By: JM

Mail/Box to: The Neumann Law Firm, PLLC 9 Park Place West, Ste. 102, Brevard NC 28712

This instrument was prepared by: Douglas R. Campen, Attorney at Law (no title search performed) File#20-393

Brief description for the Index: _____

THIS DEED made this 9th of April 2020 by and between

| GRANTOR | GRANTEE |
|---|---|
| <p>Karen Z. Alcorn Trustee of The Wendell R. Alcorn Revocable Trust of 2010, u/a/d 11/10/2010 1788 Eagle Lake Dr. Brevard NC 28712</p> | <p>Karen Z. Alcorn Trustee of The Karen Z. Alcorn Revocable Trust of 2010, u/a/d 11/10/2010 1788 Eagle Lake Dr. Brevard NC 28712</p> |

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Dunns Rock Township, Transylvania County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

The property hereinabove described was acquired by Grantor by instrument recorded in Document Book 720, page 288. All or a portion of the property herein conveyed includes or x does not include the primary residence of Grantor.

All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of Grantor. A map showing the above described property is recorded in Plat File __, Slide __.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

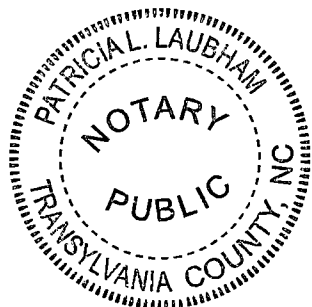
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Karen Z. Alcorn (SEAL)
KAREN Z. ALCORN, TRUSTEE

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, Patricia L. Laubham, a Notary Public of the County and State aforesaid, certify that **KAREN Z. ALCORN, TRUSTEE** personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 17th day of April, 2020.



Patricia L. Laubham
Patricia L. Laubham, Notary Public

My Commission Expires: 03-10-2021

Prepared by: The Neumann Law Firm, PLLC
File#20-0393

EXHIBIT "A"

Being all of that parcel of property designate as Lot 166, Eagle Lake Subdivision as surveyed by Kevin D. Goldsmith, PLS, and shown on a recorded plat dated March 17, 2015 and recorded in Plat File 16, Slide 362, Transylvania County Registry.

Subject to restrictive covenants more particularly described in Deed Book 325, Page 61, Transylvania County Registry and amendments more particularly described in Deed Book 336, page 30, Transylvania County Registry and Supplemental Restrictive Covenants recorded in Deed Book 418, page 26, Transylvania County Registry.

Exhibit "B"

CERTIFICATION OF TRUST

TO: ALL FINANCIAL INSTITUTIONS, MUTUAL FUND ADMINISTRATORS, TITLE INSURERS, TRANSFER AGENTS, AND OTHER PERSONS AND INSTITUTIONS

The undersigned desires to confirm the establishment of a revocable living trust named **THE WENDELL R. ALCORN REVOCABLE TRUST OF 2010** (hereinafter referred to as the "Trust"). The following provisions are found in said Trust and may be relied upon as a full statement of the matters covered by such provisions by anyone dealing with the original Trustee or her successors.

CREATION OF TRUST

The Trust was created on November 10, 2010, as amended and restated concurrently herewith, by a Trust Agreement executed by the undersigned as Grantor and co-Trustee, for the benefit of the undersigned during her lifetime and thereafter for the benefit of other successor beneficiaries in interest.

NAME OF TRUST

The name of the Trust is **THE WENDELL R. ALCORN REVOCABLE TRUST OF 2010**. Any assets held in the name of the Trust should be titled in substantially the following manner: **WENDELL R. ALCORN** and **KAREN Z. ALCORN**, as co-Trustees of **THE WENDELL R. ALCORN REVOCABLE TRUST OF 2010**, U/A dated November 10, 2010.

TRUSTEE

The currently acting co-Trustees of the Trust are **WENDELL R. ALCORN** and **KAREN Z. ALCORN**. If said **WENDELL R. ALCORN** should cease to act as the co-Trustee, the then-acting co-Trustee shall act as sole Trustee. If said **KAREN Z. ALCORN** should cease to act as the Trustee (or co-Trustee, as the case may be), he shall be succeeded by **DAVID C. NEUMANN** as the successor Trustee or co-Trustee (as the case may be). If he fails to qualify or ceases to act, **DOUGLAS R. CAMPEN** shall act as the alternate successor Trustee or co-Trustee (as the case may be). If that successor Trustee fails to qualify or ceases to act, **BRENTLEY D. CRONQUIST** shall act as the second alternate successor Trustee or co-Trustee (as the case may be).

SIGNATURE AUTHORITY

While the Grantor is acting as co-Trustees, the signatures of both co-Trustees shall be required to conduct business with respect to property and/or assets held or owned by the Trust.

REVOCABILITY OF TRUST

The Trust is revocable. The person holding the power to revoke or amend the Trust is **WENDELL R. ALCORN**.

TAXPAYER IDENTIFICATION NUMBER

The Trust uses the Social Security number of the Grantor as its Taxpayer Identification Number. No separate tax identification number is required while this Trust is revocable and the Grantor is acting as a Trustee.

ADDRESS OF THE TRUST

The Trust uses the address of the Grantor/Trustee as its location. This address is currently 1488 Eagle Lake Drive, Brevard, North Carolina 28712.

TRUSTEE AUTHORITY

- (1) Subject to state law, a Trustee may appoint an Attorney-in-Fact ("Power of Attorney") and delegate to such agent the exercise of all or any of the powers conferred upon a Trustee.
- (2) No purchaser from or other person dealing with a Trustee shall be responsible for the application of any purchase money or thing of value paid or delivered to such Trustee, but the receipt by a Trustee shall be a full discharge; and no purchaser or other person dealing with a Trustee and no issuer, or transfer agent, or other agent of any issuer of any securities to which any dealings with a Trustee should relate, shall be under any obligation to ascertain or inquire into the power of such Trustee to purchase, sell, exchange, transfer, mortgage, pledge, lease, distribute or otherwise in any manner dispose of or deal with any security or any other property held by such Trustee or comprised in the trust fund.
- (3) The certification of a Trustee and/or the agent of a Trustee that such person is acting according to the terms of the Trust shall fully protect all persons dealing with such Trustee and/or agent. Any person may rely upon the certification of any Trustee as to the matters which are not contained in this Certification of Trust, including a further enumeration of the Trustee's powers.

A person who acts in reliance on this Certification of Trust without knowledge that the representations contained in this Certification of Trust are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in this Certification. Knowledge of the terms of the Trust may not be inferred solely from the fact that a copy of all or part of the trust instrument is held by the person relying on the certification. A person who in good faith enters into a transaction in reliance on this Certification of Trust may enforce the transaction against the trust property as if the representations contained in this Certification of Trust were correct.


TRUSTEE'S POWERS

The Trustee shall have, in general, the power to do and perform any and all acts and things in relation to the trust fund in the same manner and to the same extent as an individual might or could do with respect to his or her own property including the power to buy, sell, hold, transfer, convey, or exercise any ownership rights in any asset for the Trust by executing any appropriate document, or by an oral demand to buy or sell a security; to maintain, deposit or to withdraw from any bank, brokerage or mutual fund account (including margin accounts), and to sign checks or drafts on any such account; to purchase or exercise rights in any life insurance or annuity contracts; and to borrow and pledge any Trust asset as security. In addition to the above, the Trustee shall have all of the powers authorized by the North Carolina Uniform Trust Code (Chapter 36C of the North Carolina General Statutes) (as though such powers were set forth herein).

ADMINISTRATIVE PROVISIONS

- (1) The Trust shall be administered according to the North Carolina Uniform Trust Code (Chapter 36C of the North Carolina General Statutes), except as shall be specifically modified therein.
- (2) The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.
- (3) This Certification of Trust is a true and accurate statement of the matters referred to herein concerning the Trust.
- (4) This Certification of Trust has been signed by one of the currently acting co-Trustees of the Trust.
- (5) Reproductions of this executed original (with reproduced signatures) shall be deemed to be original counterparts of this Certification of Trust and any person who is in possession of a photocopy of this executed Certification may, in good faith, rely upon the information it contains and shall not be liable to the Grantor, any Trustee or beneficiary for reliance upon the information herein contained.
- (6) No person shall have received notice of any event upon which the use of this Certification of Trust depends unless said notice is in writing and until the notice is delivered to said person.

IN WITNESS WHEREOF, the undersigned declares under penalty of perjury that the foregoing is true and correct and that he has executed this Certification of Trust on June 22nd, 2018, in Transylvania County, North Carolina.



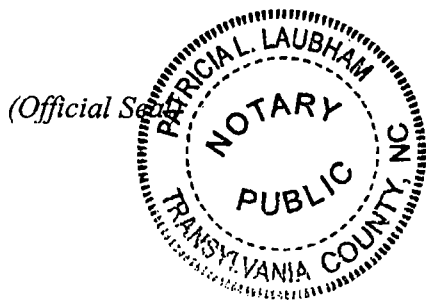
WENDELL R. ALCORN,
Grantor and co-Trustee


STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing instrument:

WENDELL R. ALCORN

Date: June 22nd, 2018.

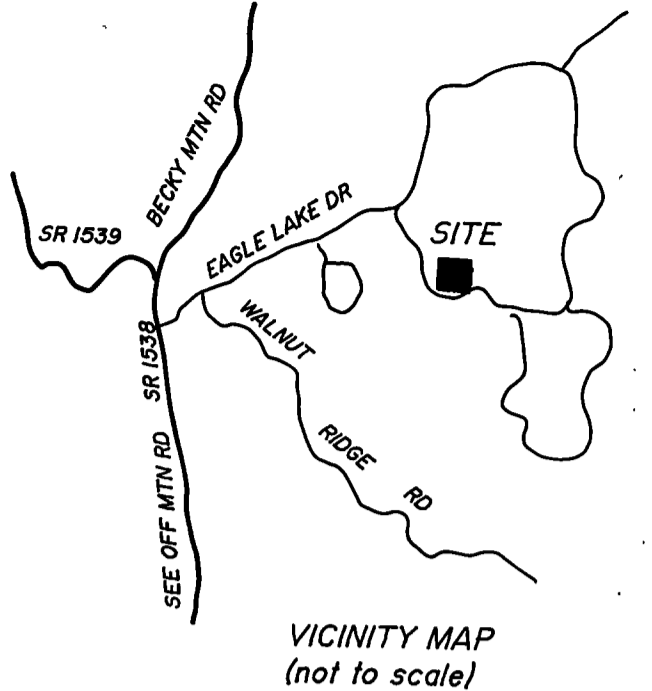
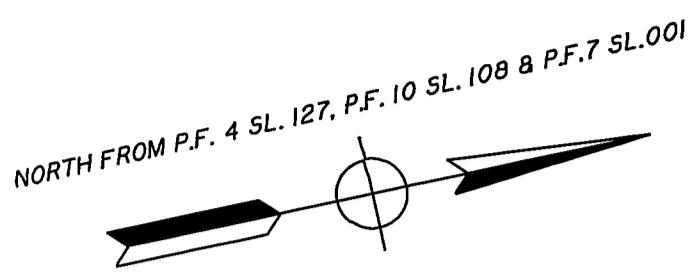




PATRICIA L. LAUBHAM, Notary Public

My commission expires: 3/10/21

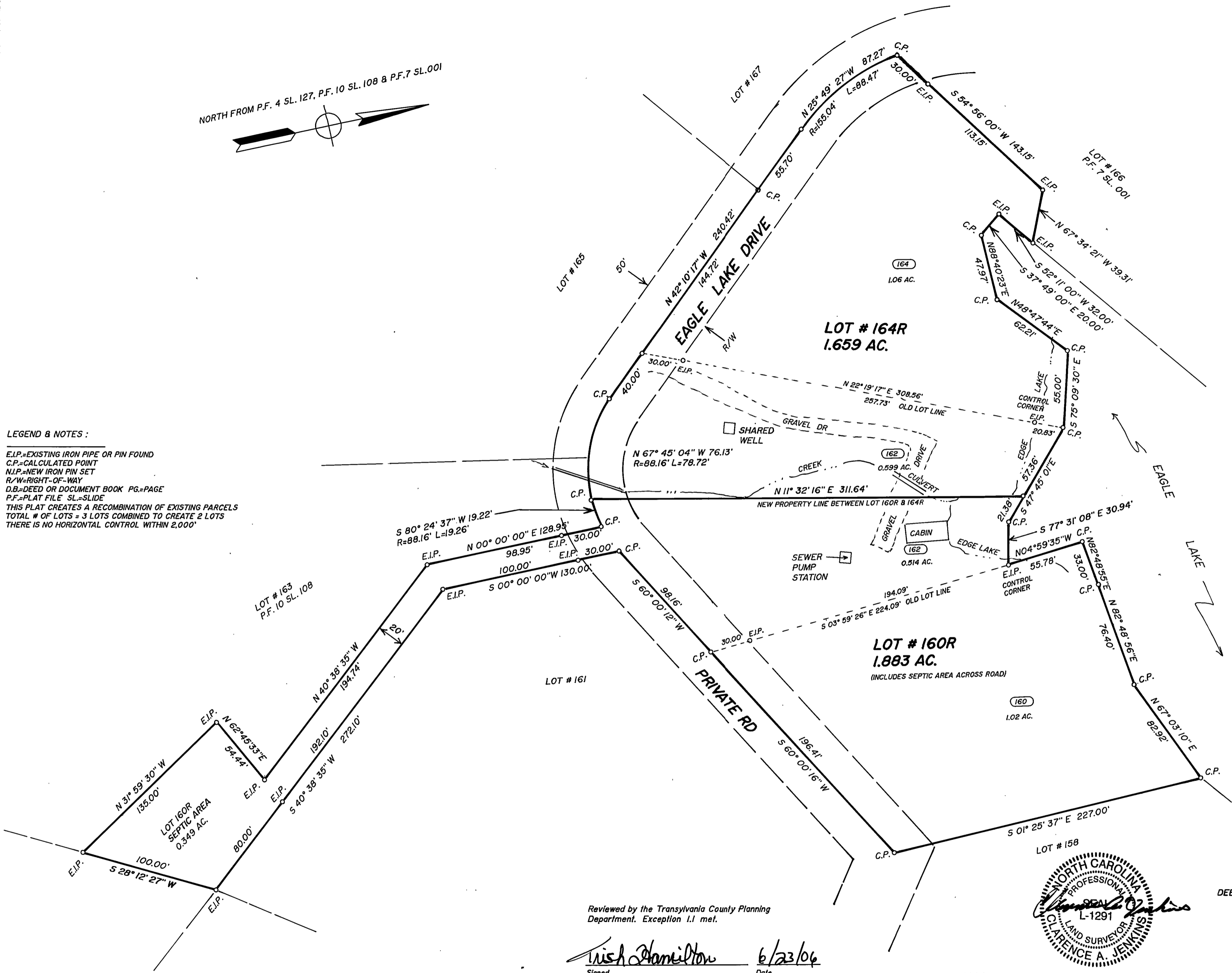
11,803



VICINITY MAP (not to scale)

2006005374
 TRANSLYVANIA CO, NC FEE \$21.00
 PREPARED & RECORDED:
 06-28-2006 11:57:03 AM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: D REE MCCALL
 DEPUTY REGISTER OF DEEDS
 PF 11
 PG:803-803

LEGEND & NOTES:
 E.I.P.=EXISTING IRON PIPE OR PIN FOUND
 C.P.=CALCULATED POINT
 N.I.P.=NEW IRON PIN SET
 R/W=RIGHT-OF-WAY
 D.B.=DEED OR DOCUMENT BOOK PG.=PAGE
 P.F.=PLAT FILE SL.=SLIDE
 THIS PLAT CREATES A RECOMBINATION OF EXISTING PARCELS
 TOTAL # OF LOTS = 3 LOTS COMBINED TO CREATE 2 LOTS
 THERE IS NO HORIZONTAL CONTROL WITHIN 2,000'

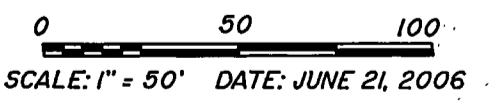


RECOMBINATION PLAT FOR:
LOT # 160R

MICHAEL R. KIRILA &
JOSEPHINE O. KIRILA

AND
LOT # 164R
WENDELL R. ALCORN &
KAREN Z. ALCORN

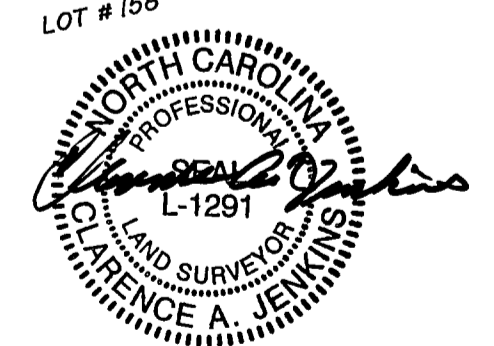
LOTS 160, 162 & 164 REVISED OF EAGLE LAKE
 DUNNS ROCK TOWNSHIP, TRANSLYVANIA COUNTY, N.C.
 DEED REFERENCES: D.B.386 PG.327, D.B.155 PG.177 & D.B.85 PG.362
 PLAT REFERENCES: PLAT FILE 4 SLIDE 127,
 PLAT FILE 10 SLIDE 108 & PLAT FILE 7 SLIDE 001
 TAX PIN: 8594-43-6047-000,
 8594-43-7090-000 & 8594-43-9038-000



Reviewed by the Transylvania County Planning Department. Exception 1.1 met.

Irish Hamilton 6/23/06
Signed Date

State of North Carolina
 County of TRANSLYVANIA
 I, *Irish Hamilton*, Review Officer of
 TRANSLYVANIA County, certify that the map or plat
 to which this certification is affixed meets all
 statutory requirements for recording.
Irish Hamilton 6/23/06
 Review Officer Date



G.S. 47-30 (f) (1) d.
 I, Clarence A. Jenkins P.L.S., certify that this
 plat was drawn under my supervision from an actual
 survey made under my supervision (deed description
 recorded in Book SEE TITLE Page BLOCK); that the
 ratio of precision as calculated is 1 : 7500;
 that this plat was prepared in accordance with
 G.S. 47-30 as amended. Witness my original signature
 Registration number and seal this 21st day of
 JUNE, A.D. 2006

Clarence A. Jenkins, P.L.S.
Registration Number L-1291

I, Clarence A. Jenkins P.L.S. certify that this property is not located in the 100 year flood zone as per Flood Insurance Rate Maps.

The foregoing certificates of Clarence A. Jenkins, a professional Land Surveyor, and a Review Officer, are certified to be correct. This plat was presented for registration and recorded in this office in Plat File at Slide , this the day of , A.D. 2006 at o'clock m.
 Register of Deeds

Surveyed By
 Clarence A. Jenkins, P.L.S.
 # 3 Four Seasons Plaza, N. Broad Street
 Brevard N.C. 28712
 Tele. # 884-5880

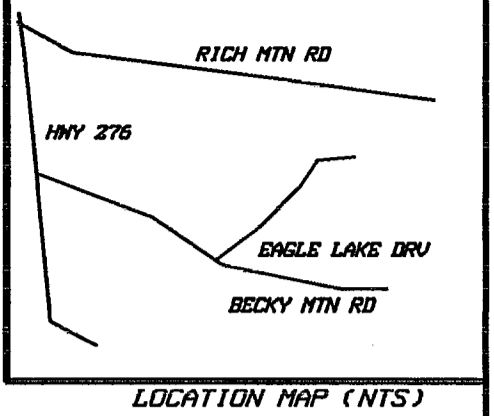
16, 362

File 16 Slide 362

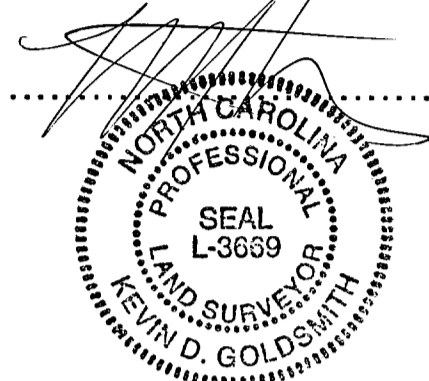
KEVIN D GOLDSMITH P.L.S.
2847 PLEASANT GROVE CHURCH ROAD
HENDERSONVILLE N.C. 28739
(828) 506-4962

THE FOREGOING CERTIFICATE OF KEVIN D. GOLDSMITH A PROFESSIONAL
LAND SURVEYOR ARE CERTIFIED TO BE CORRECT. THIS PLAT WAS PRESENTED
FOR REGISTRATION AND RECORDED IN THIS OFFICE IN PLAT FILE.....
AT SLIDETHIS THEDAY OFAD.
ATOCLOCKM

NOTES:
1. FOR SOURCE OF TITLE SEE D.B. 25 PG. 705
2. TAX ID # 8594-43-6228
3. SUBJECT TO ALL R-O-W, EASEMENTS, RESTRICTIONS AND
AGREEMENTS OF RECORD OR THAT EXIST ON THE GROUND.
4. AREA BY COORDINATE COMPUTATION
5. THAT THE SURVEY IS OF AN EXISTING PARCEL OF LAND AND
DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.



I KEVIN D. GOLDSMITH P.L.S. CERTIFY THAT THIS PLAT WAS DRAWN UNDER
MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY
SUPERVISION. DEED DESCRIPTION RECORDED IN BOOK.....PAGE.....
705
THAT THE RATIO OF PRECISION AS CALCULATED IS 1:7500. THAT THIS PLAT
WAS PREPARED IN ACCORDANCE WITH GS-4730 AS AMENDED. WITNESS MY
ORIGINAL SIGNATURE AND SEAL THIS17.....DAY OFMARCH.....2015 AD.



KEVIN D. GOLDSMITH P.L.S.

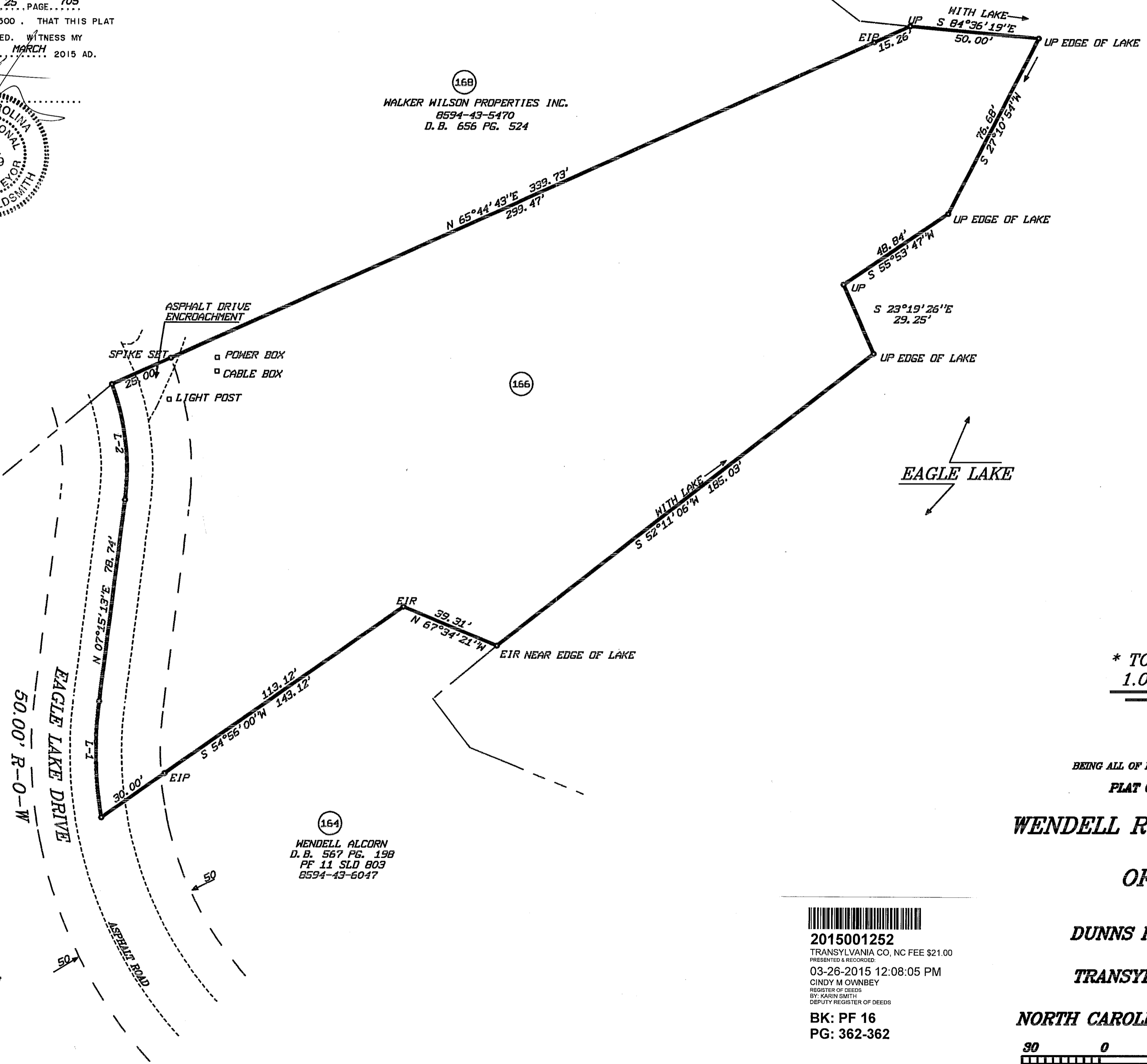
168
WALKER WILSON PROPERTIES INC.
8594-43-5470
D.B. 656 PG. 524

LEGEND & NOTES :

- E.I.P.: Existing Iron Pipe or Pin Found
- N.I.P.: New Iron Pin Set
- C.P.: Calculated Point (Unmarked Point)
- C.M.F.: Concrete Monument Found
- R/W: Right-of-Way
- D.B.: Deed or Document Book Pg.: Page
- P.F.: Plat File Sl.: Slide
- P.B.: Plat Book Pg.: Page
- P.P.: Power Pole P/L: Power Line
- U.B.: Utility Box
- S.F.: Spike Found S.S.: Spike Set
- N.F.: Nail Found N.S.: Nail Set

COURSE BEARING DISTANCE

RAD.: 155.04' TAN.: 22.80'
LEN.: 45.27' DELTA: 16°43'48''
L-1 N 01°06'42"W 45.11'
RAD.: 96.06' TAN.: 23.33'
LEN.: 45.77' DELTA: 27°18'03''
L-2 N 06°23'43"W 45.34'



PLAT NORTH
FILE 7 SLD 1

* TOTAL AREA *
1.084 ACRES

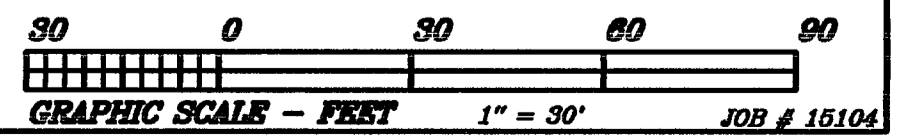
BEING ALL OF LOT 166 EAGLE LAKE OF N.C.

PLAT OF SURVEY FOR
WENDELL R. ALCORN TRUST
OF 2010

DUNNS ROCK TOWNSHIP
TRANSYLVANIA COUNTY

NORTH CAROLINA MARCH 17, 2015

2015001252
TRANSYLVANIA CO, NC FEE \$21.00
PRESENTED & RECORDED:
03-26-2015 12:08:05 PM
CINDY M OWNBEY
REGISTER OF DEEDS
BY: KARIN SMITH
DEPUTY REGISTER OF DEEDS
BK: PF 16
PG: 362-362



State of North Carolina
County of _____
I, _____ Review Officer of
_____ County, certify that the map or plat
to which this certification is affixed meets all
statutory requirements for recording.
Review Officer _____ Date _____

164
WENDELL ALCORN
D.B. 567 PG. 198
PF 11 SLD 803
8594-43-6047

2020003554

TRANSYLVANIA COUNTY NC FEE \$26.00

PRESENTED & RECORDED

07/02/2020 02:42:52 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: KARIN SMITH

DEPUTY REGISTER OF DEEDS

BK: DOC 928

PG: 545 - 548

PREPARED BY AND RETURN AFTER RECORDING TO: David L. English,
Roberts & Stevens, P.A., P.O. Box 7647, Asheville, NC 28802

STATE OF NORTH CAROLINA

EASEMENT AGREEMENT

COUNTY OF TRANSYLVANIA

THIS EASEMENT AGREEMENT, is made this the 6th day of ~~April~~^{May}, 2020, by and between Karen Z. Alcorn, as Trustee of the Karen Z. Alcorn Revocable Trust of 2010 Dated November 17, 2010 (the "Owner"), and the Eagle Lake Property Owners' Association, Inc., a North Carolina non-profit corporation (the "Association") (the designations Owner and Association as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine and neuter as required by context).

WITNESSETH:

THAT WHEREAS, the Owner is the owner of certain real property within the Eagle Lake Subdivision more particularly described in the Deed recorded in Deed Book 567, at Page 198 of the Transylvania County Registry, as the same is identified as Lot 164R on the plat recorded in Plat File 11, at Slide 803 of said registry (the "Property"); and,

WHEREAS, the Association is an association of property owners within the Eagle Lake Subdivision (the "Subdivision"), as more particularly set forth in the Eagle Lake Declaration of Covenants, Conditions, Restrictions and Easements recorded in Deed Book 273, at Page 481 of said registry (the "Declaration"); and,

WHEREAS, the Association is responsible for the maintenance of certain Common Property, as such term is defined in the Declaration, within the Subdivision, including the maintenance of certain sedimentation control measures to mitigate the sedimentation of Eagle Lake; and,

WHEREAS, the Association desires to obtain an easement over, across, under, and through that portion of the Property identified as Storm Easement 164R on the plat recorded in Plat File 20,

at Slide 87 of the Transylvania County Registry (the "Easement Area"), for the purpose of constructing and operating a sedimentation retention pond and associated facilities as more particularly described herein, as an additional Common Property, and the Owner is willing to grant and convey such easement subject to the terms and conditions contained herein;

NOW, THEREFORE, for and in consideration of the premises, the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Grant of Easement.** Owner has given, granted and conveyed, and by these presents does hereby declare, create, give, grant, and convey unto the Association, its successors and assigns, a nonexclusive permanent easement over the Easement Area for the purposes of constructing, maintaining, repairing, replacing, and operating a sedimentation and retention pond, together with such pipes, fittings, fixtures and other accessories as from time to time may be required (collectively the "Sedimentation Pond Control Facilities"), and for purposes of inspecting and performing appropriate tests and maintenance within said permanent easement, including but not limited to, environmental studies, and together with the full right of reasonable access to and egress from said Sedimentation Pond Control Facilities over and upon the Easement Area.

2. **Maintenance and Restoration of Easement Area.** The Association shall have the right, but not the obligation, to keep the Easement Area clear at all times, and the right to go upon the Easement Area whenever necessary for the purpose of clearing the same, and removing therefrom all brush, trees and other obstructions of any kind. The Association shall, at its sole cost, promptly restore the physical condition of the Easement Area after initial installation or any repair or replacement of the Sedimentation Pond Control Facilities to a condition comparable to the existence of the Easement Area prior to such disturbance, including appropriate grading and reseeding grass in the disturbed area as necessary. Provided, however, that the Parties acknowledge and agree that certain elements of the Sedimentation Pond Control Facilities shall permanently alter the topography of the Easement Area in order to perform their intended function, including, without limitation the sedimentation pond, and that certain elements of the Sedimentation Pond Control Facilities such as rip-rap and other gravel features shall remain visible following construction of such Sedimentation Pond Control Facilities.

3. **Owner's Use of Easement Area.** The Owner shall at all times, other than while the Sedimentation Pond Control Facilities are under actual construction, have the right to use said Easement Area in the same manner as has been heretofore done; provided such use shall in no manner interfere with or be inconsistent with the use thereof by Association as provided herein. Without limiting the foregoing, the Owner shall not erect any shed, building, structure or other obstruction within the Easement Area; plant trees or shrubbery within the Easement Area; place fill within the Easement Area, or otherwise alter the topography of the Easement Area.

4. **General.** This Easement Agreement shall bind and inure to the benefit of the Parties hereto, and their respective heirs, successors and assigns, forever. This Easement Agreement may only be amended by written instrument executed by all of the Parties hereto, or their successors in interest, and recorded in the Transylvania County, North Carolina, Registry.

IN WITNESS WHEREOF, the Owner and Association have hereunto set their hands and seals, or if corporate, have caused this document to be executed by their duly authorized officers and its seal to be hereunto affixed, as of the day and year first above written.

Karen Z. Alcorn Revocable Trust of 2010
Dated November 17, 2010

By: Karen Z. Alcorn
Karen Z. Alcorn, Co-Trustee

STATE OF NC
COUNTY OF Transylvania

I, a Notary Public of said County and State, certify that **Karen Z. Alcorn, as Trustee of the Karen Z. Alcorn Revocable Trust of 2010 dated November 17, 2010** personally appeared before me this day and acknowledged execution of the foregoing. Witness my hand and official stamp or seal on this the 6 day of ~~April~~, 2020.

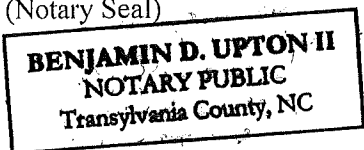
May

[Signature]
Notary Public

My Commission expires:

11-17 2023

(Notary Seal)



EAGLE LAKE PROPERTY OWNERS' ASSOCIATION, Inc., a North Carolina non-profit corporation

By: Timothy W. Brenton
Timothy W. Brenton, President

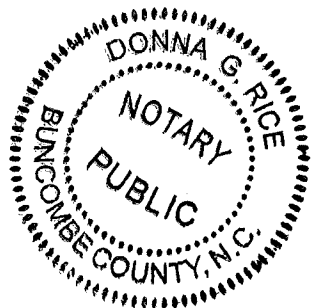
STATE OF North Carolina
COUNTY OF Buncombe

I, a Notary Public of said County and State, certify that Timothy W. Brenton, who is the President of Eagle Lake Property Owners' Association, Inc., a North Carolina non-profit corporation, personally appeared before me this day and acknowledged execution of the foregoing instrument on behalf of the corporation. Witness my hand and official stamp or seal on this the 26 day of ~~April~~, 2020.

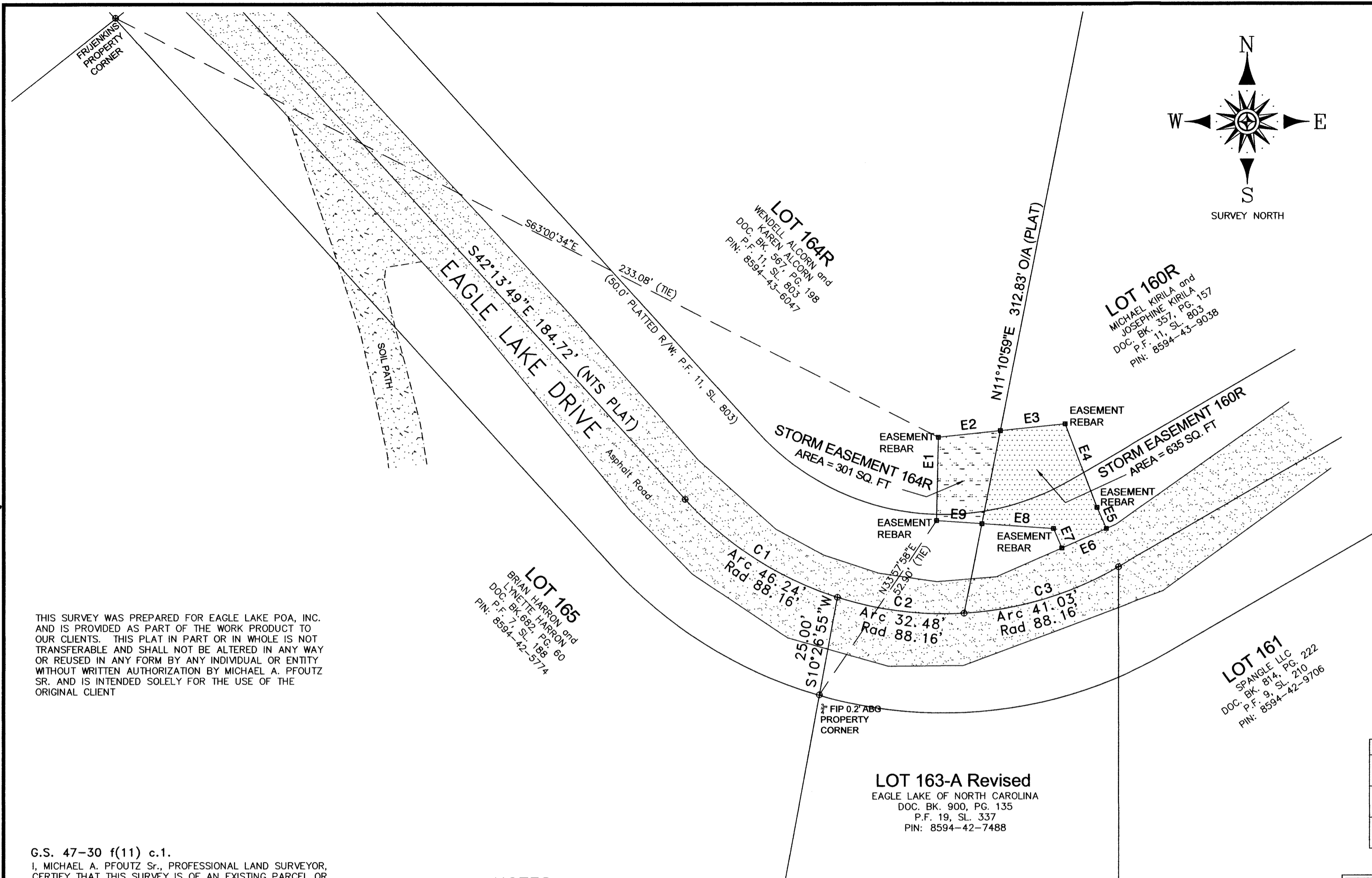
June
Donna G. Rice
Notary Public

My Commission expires:
9/26/2020

(Notary Seal)



File 20 Slide 87



LEGEND

| | |
|---------------|----------------------------------|
| NTS | NOT TO SCALE |
| O/A | OVERALL |
| D.B., PG. | DEED BOOK, PAGE |
| PIN | TAX PARCEL IDENTIFICATION NUMBER |
| FIP | FOUND IRON PIPE |
| FR | FOUND REBAR |
| DOC. BK., PG. | DOCUMENT BOOK, PLAGE |
| P.F., SL. | PLAT FILE, SLIDE |
| ABG | ABOVE GRADE |
| [Symbol] | ASPHALT |
| [Symbol] | SOIL |
| [Symbol] | STORM WATER EASEMENT LOT 160R |
| [Symbol] | STORM WATER EASEMENT LOT 164R |

STORM WATER EASEMENT CALL TABLE

| Course | Bearing | Distance |
|--------|-------------|----------|
| E1 | N01°16'32"E | 21.08' |
| E2 | N83°56'12"E | 15.74' |
| E3 | N83°56'12"E | 16.46' |
| E4 | S20°54'42"E | 22.60' |
| E5 | S23°35'22"E | 5.85' |
| E6 | S66°24'38"W | 12.23' |
| E7 | N23°35'22"W | 5.36' |
| E8 | N86°09'45"W | 18.10' |
| E9 | N86°09'45"W | 11.50' |

THIS SURVEY WAS PREPARED FOR EAGLE LAKE POA, INC. AND IS PROVIDED AS PART OF THE WORK PRODUCT TO OUR CLIENTS. THIS PLAT IN PART OR IN WHOLE IS NOT TRANSFERABLE AND SHALL NOT BE ALTERED IN ANY WAY OR REUSED IN ANY FORM BY ANY INDIVIDUAL OR ENTITY WITHOUT WRITTEN AUTHORIZATION BY MICHAEL A. PFOUTZ SR. AND IS INTENDED SOLELY FOR THE USE OF THE ORIGINAL CLIENT

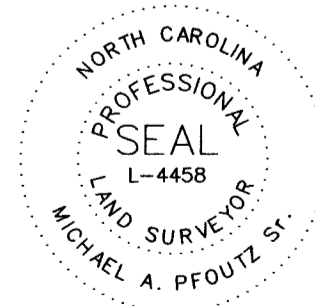
G.S. 47-30 f(11) c.1.

I, MICHAEL A. PFOUTZ Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

I, MICHAEL A. PFOUTZ, Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECTION FROM INFORMATION FOUND IN PLAT FILE 11, SLIDE 803; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION REFERENCED HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED BY LATITUDES AND DEPARTURES BEFORE ADJUSTMENT IS NOT LESS THAN 1 : 5,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS THE **24th** DAY OF **FEBRUARY**, **2020**, A.D.

Michael A. Pfoutz Sr.
MICHAEL A. PFOUTZ Sr.
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4458



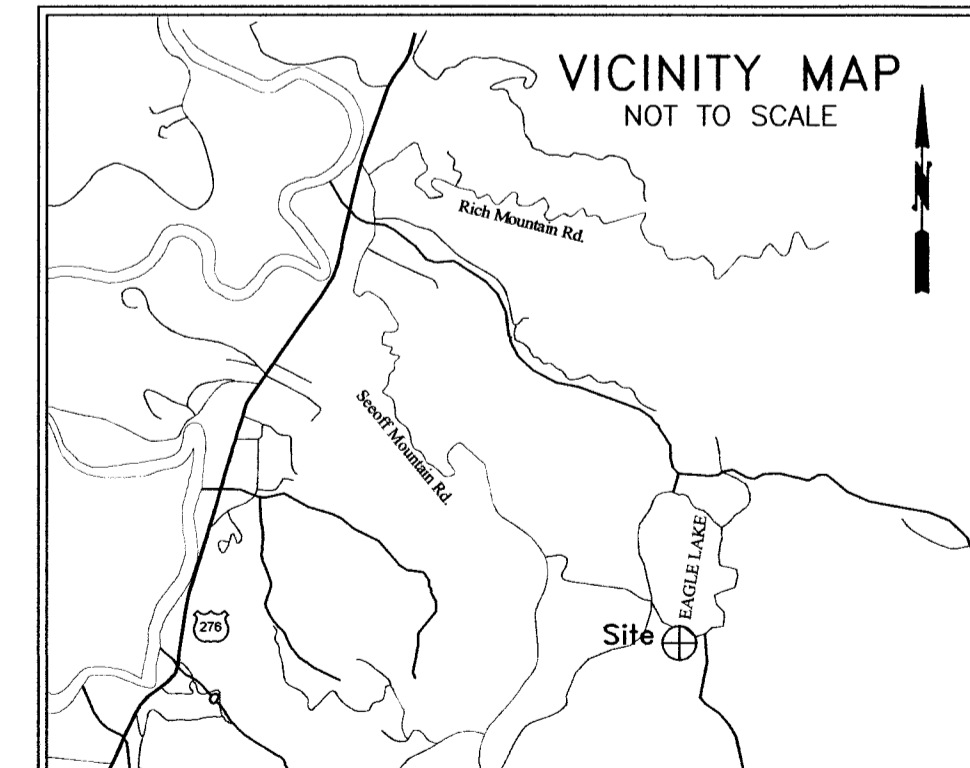
NOTES:

- PROPERTIES SHOWN HEREON ARE IDENTIFIED BY THEIR LOT NUMBERS. NOT ALL IMPROVEMENTS ARE SHOWN HEREON. PARTIAL SURVEY OF EASEMENT AREA AND LOT CORNERS DONE IN JANUARY 2020. THERE ARE NO NCGS MONUMENTS WITHIN 2000' OF THIS PROPERTY. EASEMENT CORNERS ON THE LOTS WERE SET BY OTHERS AND LOCATED BY CAROLINA MOUNTAIN SURVEYING. DISTANCES SHOWN ARE HORIZONTAL GROUND. LOT PROPERTY LINES EXTEND TO THE CENTER OF THE PLATTED R/W AND ARE CALCULATED POINTS. PROPERTY LINES SHOWN ARE FROM RECORDED PLAT BEARINGS AND DISTANCES AND DO NOT CONSTITUTE A FULL BOUNDARY SURVEY FOR THE AFFECTED LOTS.
- THE PURPOSE OF THIS SURVEY IS TO DELINEATE AN EASEMENT FOR STORM WATER RETENTION TO THE EAGLE LAKE POA, INC. THE EASEMENT IS TO EXTEND TO THE EDGE OF THE EXISTING PAVEMENT AS SHOWN HEREON. EASEMENT CORNERS ARE CALCULATED POINTS UNLESS NOTED OTHERWISE.
- STORM WATER EASEMENT AREA WITHIN LOT 160R = 635 SQ. FT. (SURVEY)
STORM WATER EASEMENT AREA WITHIN LOT 164R = 301 SQ. FT. (SURVEY)
TOTAL EASEMENT AREA LOTS 160R&164R = 936 SQ. FT. (SURVEY)
- AREA CALCULATED BY COORDINATE COMPUTATION
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS, COVENANTS, EASEMENTS; AND RESTRICTIONS OF RECORD BOTH SHOWN AND NOT SHOWN HEREON.
- PLAT REFERENCE: P.F. 7, SL. 3; P.F. 7, SL. 188; P.F. 11, SL. 803
- DEED REFERENCE: DOC. BK. 357, PG. 157; DOC.BK. 567, PG. 198.
- TAX PARCEL IDENTIFICATION NUMBERS: 8594-43-6047; 8594-43-9038

LOT BOUNDARY CURVE TABLE

| Course | Bearing | Distance |
|--------|-------------------|---------------|
| C1 | Rad: 88.16' | Arc: 46.24' |
| | Tan: 23.67' | CA: 30°03'06" |
| | Chd: S57°15'22" E | 45.71' |
| C2 | Rad: 88.16' | Arc: 32.48' |
| | Tan: 16.43' | CA: 21°06'30" |
| | Chd: S82°50'08" E | 32.30' |
| C3 | Rad: 88.16' | Arc: 41.03' |
| | Tan: 20.89' | CA: 26°39'50" |
| | Chd: N73°16'34" E | 40.66' |

2020001525
TRANSLYVANIA CO, NC FEE \$21.00
PRESENTED & RECORDED
03-24-2020 09:43:12 AM
CINDY M OWNSBEY
REGISTER OF DEEDS
BY: KAREN SMITH
DEPUTY REGISTER OF DEEDS
BK: PF 20
PG: 87-87



PREPARED BY
CAROLINA MOUNTAIN SURVEYING
FIRM LICENSE NUMBER #F-1205
137 NORTH BROAD STREET; SUITE 2
BREVARD, NORTH CAROLINA 28712
(828) 883-2670
CMSURVEYING@COMPORIUM.NET

LOTS 160R & 164R
EAGLE LAKE Subdivisiion
PROPERTY SITUATE IN
DUNNS ROCK TOWNSHIP
TRANSLYVANIA COUNTY
NORTH CAROLINA
OWNERS OF RECORD: WENDELL and KAREN ALCORN AND
MICHEAL and JOSEPHINE KIRILA

STORM WATER EASEMENT SURVEY AND PLAT
PREPARED FOR
EAGLE LAKE POA, INC.,
WENDELL & KAREN ALCORN and
MICHAEL & JOSEPHINE KIRILA

| | | | | | |
|------|-------------------|---------------|----------------|----------------|------------------|
| DATE | FEBRUARY 24, 2020 | FIELD RECORDS | DATA COLLECTOR | DRAWING | CMS19084 160&164 |
| | | | | COORD. FILE | CMS19084.CRD |
| | | | | PROJECT NUMBER | CMS19084 |

20 0 20 40 60
GRAPHIC SCALE - FEET WRITTEN SCALE: 1"=20'