

FILED  
Oct 13 1998 02:01:09 PM  
Pam Miller

Register of Deeds Polk COUNTY

BOOK 250 Page 1492

Prepared By:

David T. Greer, Attorney at Law, PO Box 787, Columbus, NC 28722

STATE OF NORTH CAROLINA

DEED OF EASEMENT

COUNTY OF POLK

THIS DEED OF EASEMENT, made as of the 13 day of October, 1998, by GILBERT H. BERKEN and Wife, MAGDALEN BERKEN, (hereinafter referred to as the "Grantors", to C. EDGAR SPENCER and Wife, CHERYL H. SPENCER (hereinafter referred to as the "Grantees");

W I T N E S S E T H:

THAT WHEREAS, the Grantors have agreed to convey to the Grantees a Twenty (20) foot easement across the property of the Grantors.

NOW THEREFORE, said Grantors, for a valuable consideration, the receipt of which is hereby acknowledged, do hereby grant and convey to the Grantees, their heirs and assigns, a Twenty (20) foot perpetual easement for purposes of ingress and egress across the property of the Grantors as follows:

Said right of way being shown and delineated upon a plat entitled "C. EDGAR & CHERYL H. SPENCER", Saluda Twp., Polk Co., No. Car., dated January 20, 1998, prepared by Butler and Associates, Reg. Land Surveyor (L-3033), PO Box 1500, Tryon, NC 28782, said plat being recorded in Card File D, Page 163, of the Polk County Registry; reference being made to said recorded plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes, Section 47-30(g), further being shown as "E to F" on the referenced plat.

TO HAVE AND TO HOLD the foregoing described easement to the Grantees, their heirs, successors and assigns in title forever; it being agreed that the rights and easement hereby granted are for the use of, are appurtenant to and run with the benefitted properties.

And the Grantors covenant that they are seized of the Easement Area in fee simple and have the right to convey the easement described herein; that the Easement Area is free from encumbrances, and that they will warrant the title to the same against the claims of all persons whatsoever. Further, the Grantors reserve the right to use the aforesaid easement in any manner they see fit for the use and benefit of themselves, their heirs or assigns. Also, the granting of this easement includes the right to run water, power and/or telephone lines along and with the confines of this easement.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 13 day of October, 1998:

Gilbert H. Berken (SEAL)  
GILBERT H. BERKEN

Margaret H. Berken (SEAL)  
MAGDALEN BERKEN

STATE OF FLORIDA

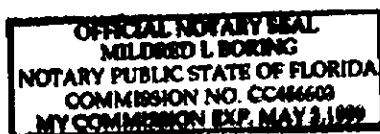
COUNTY OF Broward

This is to certify that GILBERT H. BERKEN and MAGDALEN BERKEN personally appeared before me this day and acknowledged their signatures to the due execution of the foregoing instrument for the purposes therein expressed.

Oct 1st Witness my hand and notarial seal this the 7th day of October, 1998.

Mildred L. Boring  
NOTARY PUBLIC

My commission expires:



NORTH CAROLINA, POLK COUNTY

The foregoing certificate of Mildred L. Boring  
Notary Public/Notaries Public is/are certified to be correct.  
This instrument was filed for registration on the 13th day  
of October, 1998, at 201 o'clock  
P M., and recorded in this office in Book 250,  
Page 1492

Pamela D. Miller  
Register of Deeds  
By Sheila Ford cost.