

Space Above This Line For Recording Data

### EASEMENT

This instrument prepared by Robert B. Hobbs, Jr., a licensed North Carolina Attorney  
No title examination requested or performed  
Return to Hornthal, Riley, Ellis & Maland, LLP, 2502 South Croatan Highway, Nags Head,  
NC 27959

Excise Tax:	\$-0-	Tax Parcel:	007759000, 007759001 & 007759002
Transfer Tax:	\$-0-	LT Number	_____

NORTH CAROLINA, DARE COUNTY

THIS EASEMENT, made and entered into this the 30 day of September, 2021, by and between THOMAS B. ALEXANDER and wife, MOLLY M. ALEXANDER, whose mailing address is 3100 S. Virginia Dare Trail, Nags Head, NC 27959; and GRAHAM M. ALEXANDER, unmarried, whose mailing address is 510 W. Soundside Rd., Nags Head, NC 27959, hereinafter referred to as the GRANTOR, and the TOWN OF NAGS HEAD, a North Carolina municipal corporation, PO Box 99, Nags Head, NC 27959, hereinafter referred to as the TOWN.

### WITNESSETH:

WHEREAS, GRANTOR are the owners of Parcels 1, 2 and 3 as set forth on that certain map or plat entitled "Subdivision Plat for Thomas B. Alexander, Nags Head Township, Dare County, North Carolina" dated December 1, 2003 by Edward T. Hyman, Jr., PLS and recorded at Plat Cabinet F, Slide 374 of the Dare County Public Registry; and

WHEREAS, GRANTOR desires to grant a perpetual and permanent easement to the TOWN for the purposes set forth below.

NOW, THEREFORE, GRANTOR, and GRANTOR's heirs, successors, executors, and assigns, does hereby give, grant and convey unto the TOWN, its successors, and

assigns, a permanent and perpetual right and easement to construct, install, maintain and repair a public water supply utility line, together with any related equipment and uses, under, over and across a portion of real property located in the Town of Nags Head, Nags Head Township, Dare County, North Carolina, described as follows:

An easement, ten feet (10') in width, the center line of which is shown and depicted as "NEW 2" WATER MAIN" on plat entitled, "Roadway and Waterline As-Built for Soundside Road, Town of Nags Head, Dare County, North Carolina," by Paul J. Toti Land Surveying, dated August 3, 2021, a copy of which is attached hereto as **EXHIBIT A**.

(the "Easement Area")

Included as part of this Easement shall be the right of ingress, egress and regress over the Easement Area described above for the purpose of performing any necessary maintenance, landscaping or improvement to the Easement Area.

TO HAVE AND TO HOLD said easement unto the TOWN, its successors and assigns, and GRANTOR, and GRANTOR's heirs, successors, executors and assigns, hereby warrant and covenant that GRANTOR is the sole owner of the property; that GRANTOR solely has the right to grant the said easement; and GRANTOR will warrant and defend title to the same against the lawful claims of all persons whomsoever, and GRANTOR, and GRANTOR's heirs, successors, executors and assigns, release the TOWN from any and all claims for damages by reasons of said easement herein conveyed over property of GRANTOR and the past and future use thereof by the TOWN, its successors and assigns, for all purposes for which the TOWN, its successors and assigns, is authorized by law to subject the same, subject to the terms and provisions hereinabove set forth.

(continued on the following page)

IN WITNESS WHEREOF, GRANTOR has executed this instrument, the day and year first above written.

Thomas B. Alexander  
THOMAS B. ALEXANDER

Molly M. Alexander  
MOLLY M. ALEXANDER

State of North Carolina County or City of Dare

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: THOMAS B. ALEXANDER and wife, MOLLY M. ALEXANDER.

Date: 9/30/2021 Charles D. Evans

Signature of Notary Public

Typed or printed name of Notary Public

My commission expires:

1/5/2025

(AFFIX NOTARY SEAL)

CHARLES D. EVANS  
NOTARY PUBLIC  
DARE COUNTY, NC  
My Commission Expires 1/5/2025

IN WITNESS WHEREOF, GRANTOR has executed this instrument, the day and year first above written.

*Graham M. Alexander*  
GRAHAM M. ALEXANDER

State of *North Carolina* County or City of *Dare*

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: GRAHAM M. ALEXANDER.

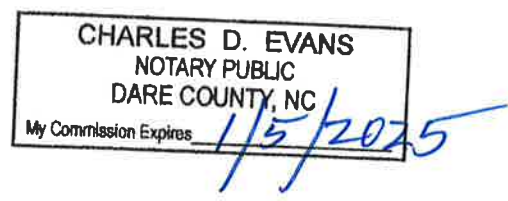
Date: *9/30/2021*

*Charles D. Evans*  
Signature of Notary Public

\_\_\_\_\_  
Typed or printed name of Notary Public

My commission expires: *1/5/2025*

(AFFIX NOTARY SEAL)



**EXHIBIT A**

**"Roadway and Waterline As-Built for Soundside Road, Town of Nags Head, Dare County, North Carolina," by Paul J. Toti Land Surveying, dated August 3, 2021**

(See attached copy)

