SECONDARY ROAD RIGHT OF WAY AGREEMENT

THIS INSTRUMENT DRAWN BY: Jacob B Day CHECKED BY: _____

RETURN TO: Frankie J Dills, Jr., Division R/W Agent, NCDOT
1594 E Main ST
Sylva NC 28779

NORTH CAROLINA
COUNTY OF POLK
TOWNSHIP OF Mill Spring

PARCEL: 075ADD 001
WBS ELEMENT: 14C.207511
SECONDARY ROAD NO.: ADD
NAME OF ROAD: Wolverine Trail

Polk County
PO Box 308
Columbus NC 28722
the undersigned owners of that certain property described in Deed Book 459 at Page 2422
in the Register of Deeds Office of Polk County, and bounded by _____

recognizing the benefits to said property by reason of the Department of Transportation assuming responsibility for the maintenance of the above-described road, hereby grants to the North Carolina Department of Transportation, the right of way for said proposed road and releases the Department from all claims for damages by reason of said right of way across the lands of the undersigned and the past and future use thereof by the Department, its successors and assigns for all purposes for which the Department is authorized by law to subject said right of way; said right of way being the width indicated and across said property as follows:

60 feet in width measured 30 feet on each side of the centerline of said proposed road, and such additional widths as might be necessary to provide for cut and fill slopes, sedimentation control and drainage of road.

It is understood and agreed that the centerline of the 60 foot right of way hereinabove has been staked out upon the property of the undersigned and that the centerline of the road is located in the center of the right of way stakes. The undersigned property owners further agree not to erect any structures, including masonry mailboxes, masonry driveway headwalls, any fencing, etc., or engage in cultivation within the right of way granted herein, except as approved by the North Carolina Department of Transportation pursuant to G.S. 136-93 and N.C. Administrative Code 19A NCAC 02E.0404.

It is further understood and agreed that additional 20' foot Right of Way is needed for the Left of the Center Line and 20' foot Right of the Center line at Stations 0+00 to 0+50.

Also, it is further understood and agreed that additional 30' foot Right of Way is needed for the Left of the Center Line at Stations 12+00 to 13+50 and 30' foot Right of Way is needed for the Right of the Center Line at Stations 11+50 to 13+00.

There are no conditions to this agreement not expressed herein. The undersigned hereby covenant and warrant that they are the sole owners of said property; that they solely have the right to grant this right of way, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

(For Addition to System Where Right of Way is Staked Out on Ground)

COUNTY: POLK **WBS ELEMENT:** 14C.207511 **PARCEL NO.:** 075ADD 001

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this the _____ day of _____ , 20 _____ .

Polk County

(CORPORATE SEAL) BY: _____
, County Manager
Of Polk County

Polk County

ATTEST: _____
, Clerk of
Polk County

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County I, _____ , a Notary Public for _____ County, North Carolina, certify that _____ personally came before me this day and acknowledged that he/she is the CLERK of the Polk COUNTY and that by authority duly given, the foregoing instrument was signed in its name by its County Manager of Polk COUNTY, sealed with its corporate seal, and attested by _____ as its CLERK. Witness my hand and official seal this the _____ day of _____ , 20 _____ . _____ Notary Public My commission expires: _____

(For Addition to System Where Right of Way is Staked Out on Ground)