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Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

N Frank Barnes

RIGHT OF WAY AGREEMENT

CITY OF LENOIR

LENOIR TOWNSHIP

CALDWELL COUNTY

STATE OF NORTH CAROLINA

Forty foot (40') wide Prince William Drive street extension.

Grantor: GTE Construction & Realty, Inc.

For and in consideration of the sum of Ten dollars and other valuable consideration, the receipt of which is hereby acknowledges, the undersigned Grantors and owners of property, have bargained and sold, and by these presents do grant, bargain, sell, convey, and transfer, and

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deliver unto the CITY OF LENOIR it successors and assigns, a municipal corporation of Caldwell County, North Carolina, the permanent right-of-way and easement herein described and do release the City of Lenoir from all claims for damages by reason of said right-of-way across the lands of the undersigned, and or past and future use thereof by the city, its successors and assigns, for all purposes for which the city is authorized by law to subject such right-of-way and easement, said rights-of-way and easement being a forty feet (40') tract of property located at the end of Prince William Drive, a street within the city limits of the CITY OF LENOIR and more particularly described as follows:

See attached Schedule "A"

This right-of-way for public street is for the purpose of extending the right-of-way for Prince William Drive. This right-of-way and utility easement includes the perpetual right to enter upon the real estate hereinafter referred to, at any time it may see fit, and construct, maintain, and repair a public street and /or one or more sanitary sewer or water lines for the purposes of public transportation and conveying and carrying sanitary sewage and/or water over, across through, and under the lands hereinafter referee to, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said lines.

The GRANTEE assumes no responsibility to open or maintain any streets, easements, rights-of-way, or other lands described herein and accepted hereby for public purposes until in the opinion of the City Council it is in the public interest to do so. The granting of this ROW does not allow for the further subdivision of new development lots without improving the street to City standards at the expense of the subdivider or developer.

There are no conditions to this agreement not expressed herein. The undersigned hereby covenant and warrant that they are the sole owners of the said respective properties designated and listed on the above reference survey plat; that they 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.

IN WITENSS WHEREOF, we have hereunto set our hands and official seal this the 11 day of May, 2017.

GTE Construction & Realty, Inc.

BY: Mark Barnes

President

State of North Carolina Caldwell County

I, a Notary Public of the County and State aforesaid, certify that T Frank Barnes personally appeared before me this day and acknowledge that he is President of GTE Construction & Realty, Inc., and as President, being authorized to do so, executed the foregoing instrument for the purposes therein expressed.

Witness my hand and official stamp or seal, this 11th day of May, 2017.

My commission expires 1/20/2019 Crystal T. Smith Notary Public

Crystal T. Smith

CRYSTAL T. SMITH NOTARY My Comm. Exp. 1/20/19 PUBLIC CALDWELL COUNTY, N.C.

This Agreement has been accepted by the City of Lenoir.

City of Lenoir

By: Scott E. Hildebran

I, a Notary Public of the County and State aforesaid, certify that Scott E. Hildebran personally appeared before me this day and acknowledged that he/she is City Manager of the City of Lenoir and as City Manager, being authorized to do so, executed the foregoing instrument for the purposes therein expressed. Witnessed my hand and official stamp or seal, this 11th day of May, 2017.

My commission expires 9-21-2019 Shirley Cannon Notary Public

Shirley Cannon

SHIRLEY CANNON NOTARY PUBLIC CALDWELL COUNTY, N.C.

SCHEDULE "A"

Description for right of way agreement
(Prince William Drive Extension)

Beginning at a point where the existing right of way of Prince William Drive ends, said beginning point being located in the line of Henry M. Smith (Deed Book 1337 Page 1412) and also being located S 29°-56'-15" E 10.0 feet from an iron pin, a corner of Lot No. 10, Section Vil of Georgetown Estates as recorded in Plat Book 25 at Page 41 and running thence with the property of Henry M. Smith S 29°-56'-15" E 197.21 feet to an iron pin and running thence with the arc of a circular curve to the right having a radius of 149.62 feet and a chord bearing and distance of S 1°-17' W 155.10 feet to a point, thence S 32°-30' W 192.99 feet to a point and running thence with the arc of a circular curve to the left having a radius of 318.76 feet and a chord bearing and distance of S 24°-30' W 88.72 feet to a point and running thence with the arc of a circular curve to the right having a radius of 105.49 feet and a chord bearing and distance of S 45°-36'-50" W 102.65 feet to a point in the line of Lisa T. Evans (Deed Book 1890 Page 1777) and running thence with said Evans property S 74°-43'-40" W 154.25 feet to an iron pin and thence N 7°-48'-10" W 40.32 feet to an iron pin and thence N 74°-43'-40" E 149.01 feet to an iron pin and running thence with the arc of a circular curve to the left having a radius of 65.49 feet and a chord bearing and distance of N 45°-36'-50" E 63.73 feet to an iron pin and running thence with the arc of a circular curve to the right having a radius of 358.76 feet and a chord bearing and distance of N 24°-30' E 99.86 feet to a point and thence N 32°-30' E 192.99 feet to a point and running thence with the arc of a circular curve to the right having a radius of 109.62 feet and a chord bearing and distance of N 1°-17' E 113.63 feet to a point, thence N 29°-56'-15" W 138.47 feet to a point and running thence with the arc of a circular curve to the left having a radius of 107.20 feet and a chord bearing and distance of N 40°-10'-20" W 38.09 feet to a point, the end of the existing right of way of Prince William Drive (Deed Book 1861 Page 2029) and running thence with the end of the existing right of way of Prince William Drive N 35°-37'-45" E 51.37 feet to the point of beginning.