

Harrington Box

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STATE OF NORTH CAROLINA)
COUNTY OF FORSYTH)

DEED OF EASEMENT

THIS DEED OF EASEMENT, Made this 19th day of JUNE, 1974, by PARKVIEW MALL, a Joint Venture, (a partnership organized under Chapter 59 of the General Statutes of North Carolina, consisting of RCS, INC., a North Carolina corporation, and K & H INVESTMENT COMPANY, a partnership), party of the first part; and RCS, INC., a corporation having its principal office and place of business in Forsyth County, North Carolina, party of the second part;

W I T N E S S E T H :

NO TAXABLE
CONSIDERATION
X

WHEREAS, the party of the second part is the owner of a lot or parcel of land located at the northeast intersection of Waughtown Street and Reynolds Park Road in the City of Winston-Salem, County of Forsyth, State of North Carolina, said parcel containing 27,685.189 square feet and fronting 145 feet, more or less, on Waughtown Street and 200 feet, more or less, on Reynolds Park Road, and being the western portion of a parcel heretofore conveyed to Mobil Oil Corporation, and

WHEREAS, the party of the first part is owner of property adjoining and lying immediately north of the property of the party of the second part, and

WHEREAS, the party of the first part desires to grant to said party of the second part a right of access from the said property of the party of the second part across the common boundary line of said property onto and upon said property of the party of the first part, at the point hereinafter set out;

NOW, THEREFORE, in consideration of One Dollar to it in hand paid, the party of the first part does hereby give, grant and convey unto the said party of the second part, its successors and assigns, a non-exclusive permanent right and easement of access from said property of the party of the

RECORDED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT
FOR THE COUNTY OF FORSYTH, NORTH CAROLINA
ON June 19, 1974

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second part across the common boundary line of said property onto and upon said property of the party of the first part, at the point hereinafter set out; and said party of the first part does further covenant and warrant that no curbing, fences or other barriers shall be installed that will prevent the free flow of traffic through a sixty (60) foot wide driveway to and from the property of the party of the second part with the said driveway across the common boundary line, being more particularly described as follows:

A sixty (60) foot driveway or access area along the common boundary line of the property of the party of the second part located at the northeast intersection of Waughtown Street and Reynolds Park Road and the property of the party of the first part adjacent to said property on the north, BEGINNING at an iron located North 85° 59' 55" East 145 feet from the northwest corner of the property of the party of the second part and running thence with the common boundary line South 85° 59' 55" West 60 feet.

TO HAVE AND TO HOLD said right and easement to the party of the second part and its successors in title; it being agreed that the right and easement hereby granted and conditions and covenants related thereto are appurtenant to and run with the land of the party of the second part hereinabove referred to.

IN TESTIMONY WHEREOF, the undersigned, PARKVIEW MALL, a Joint Venture, has caused these presents to be executed on its behalf by the duly appointed attorney-in-fact for each of the Joint Venturers.

PARKVIEW MALL, A JOINT VENTURE

BY: RCS, INC., a Joint Venturer

By S. O. Kelley (SEAL)
S. O. Kelley, Attorney-in-Fact

BY: K & H INVESTMENT COMPANY, a Joint Venturer

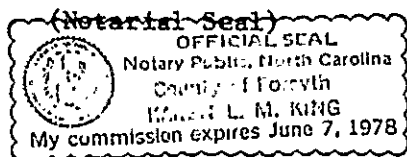
By George W. Kane, Jr. (SEAL)
George W. Kane, Jr., Attorney-in-Fact

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STATE OF NORTH CAROLINA, COUNTY OF FORSYTH

I, KAREN L M KING, a Notary Public of said County and State, do hereby certify that S. O. KELLEY, Attorney-in-Fact for RCS, INC., a North Carolina corporation, a Joint Venturer, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing instrument for and in behalf of RCS, INC., and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, on February 24, 1971, in Deed of Trust Book 1065, at page 104, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney; and that the said S. O. KELLEY acknowledged the due execution of the foregoing instrument for the purposes therein expressed for and in behalf of the said RCS, INC. I do further certify that I am not a party to the attached instrument.

WITNESS my hand and notarial seal, this 19th day of JUNE, 1974.



My commission expires:

June 7, 1978

Karen L. M. King
Notary Public

STATE OF NORTH CAROLINA, COUNTY OF FORSYTH

I, G. D. HUMPHREY, JR., a Notary Public of said County and State, do hereby certify that GEORGE W. KANE, JR., Attorney-in-Fact for K & H INVESTMENT COMPANY, a partnership, a Joint Venturer, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing instrument for and in behalf of K & H INVESTMENT COMPANY, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, on February 24, 1971, in Deed of Trust Book 1065, at page 104, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney; and that the said GEORGE W. KANE, JR. acknowledged the due execution of the foregoing instrument for the purposes therein expressed for and in behalf of the said K & H INVESTMENT COMPANY. I do further certify that I am not a party to the attached instrument.

WITNESS my hand and notarial seal, this 31st day of JULY, 1974.

(Notarial Seal)

G. D. Humphrey, Jr.
Notary Public

My commission expires:

JULY 24, 1975

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of Karen L. M. King and G. D. Humphrey, Jr. (here give name and official title of the officer signing the certificate) passed upon

Notaries Public, Forsyth Co., N.C.

PRESENTED FOR REGISTRATION day of August 19 74.
(are) certified to be correct. AND RECORDED

Probate fee 50¢ paid.

AUG 12 2 47 PM '74

Eunice Ayers, Register of Deeds

By John M. Larkins Deputy Assistant

RECORDED
FOLIO

June 14, 1974

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