



248 of the Pender County Registry.

Also conveyed herewith to Grantee(s) is a perpetual appurtenant right-of-way and easement for ingress, egress and regress to and from the property herein conveyed and N.C. Highway #53 for pedestrian and vehicular traffic and utilities over and upon and in and to that certain roadway leading from N.C. Highway #53 to the property herein conveyed and shown on that certain map of the subdivision recorded in Map Book 26 Page 69 of the Pender County Registry, said right-of-way and easement being conveyed to Grantee(s), to his heirs, personal representatives and assigns being an easement that is perpetual and one that runs with the land. Said easement to be transferrable by Grantee(s) and his heirs, personal representatives and assigns to others purchasing the property herein conveyed, hereafter, from the Grantee(s) or his heirs, personal representatives and assigns.

Grantors hereby expressly reserve unto themselves and unto their heirs, personal representatives and assigns a perpetual right-of-way and easement in and to the portion of the herein conveyed property which covers and encompasses the subdivision roadway, located within all sections of Alligator Lake Subdivision, and shown on maps recorded in Map Book 27 at Page 57, Map Book 27 at Page 75, Map Book 28 at Page 131 and Map Book 26 at Page 69 all of the Pender County Registry.

This conveyance is made subject to the following, which constitutes a portion of the consideration for this conveyance:

1. This conveyance is made expressly subject to those certain restrictions, conditions and Restrictive Covenants as are set forth in that certain instrument recorded in Book 767 Page 248 of the Pender County Registry, and Grantee(s) hereby acknowledges that he is bound by such conditions and restrictions.

2. Grantee(s) hereby, through the purchase of this property, acknowledges that he had been made aware by Grantors of the roadway running from N.C. Highway #53 to the property herein conveyed, prior to purchasing said property, and that he was familiar with the location, condition, width, surface and makeup of said roadway and the fact that it is and was the only means of access to and from the subdivision to N. C. Highway #53 at the time of the execution and delivery of this deed and that Grantors have made no promises, covenants or commitments regarding said right-of-way except for their commitments as set out in the restrictions recorded in Book 767 at Page 248 of the Pender County Registry.

3. Grantee(s) hereby acknowledges that all roadways, including the portion thereof included with the property conveyed hereby, located within all sections of Alligator Lake Subdivision and shown on maps recorded in Map Book 27, Page 57, Map Book 27, Page 75, Map Book 28, Page 131 and Map Book 26, Page 69 all of the Pender County Registry. The dedicated roadways are dedicated to each purchaser of each lot located within said subdivision, and as a portion of the consideration of this conveyance Grantee(s) binds himself and agrees to hereafter make no claim or demand whatsoever that said roadway is not dedicated.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_, page \_\_\_\_\_.

A map showing the above described property is recorded in Map Book 26, Page 69.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

- 1. 200 4 Pender County ad valorem taxes and subsequent years.
- 2. Restrictions and easements of record, if any.
- 3. Pender County zoning ordinances.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Robert Lewis Henline, Sr. (SEAL)  
Robert Lewis Henline, Sr.

Jean H. Henline (SEAL)  
Jean H. Henline

SEAL-STAMP State of North Carolina – County of Pender

CHARLES WELLS  
Notary Public  
Pender County  
North Carolina

I Charles Wells, the undersigned Notary Public of the County and State aforesaid, certify that **Robert Lewis Henline, Sr. and wife, Jean H. Henline** personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 20th day of October, 2004.

My Commission Expires:  
January 17, 2005

Charles Wells  
Notary Public

The foregoing Certificate(s) of Charles Wells is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

**JOYCE M. SWICEGOOD**

Register of Deeds for Pender County  
By: Hayzel Lee Deputy/~~Assistant~~ - Register of Deeds