

STAINBACK & SATTERWHITE

ATTORNEYS AT LAW

115 NORTH GARNETT STREET

P. O. BOX 1820

PAUL J. STAINBACK
MICHAEL E. SATTERWHITE
CAROLINE S. BURNETTE

HENDERSON, NORTH CAROLINA 27536

TELEPHONE (252) 438-4136
TELECOPIER (252) 438-6044

June 29, 2006

Mr. and Mrs. M. Hager Rand
12 Pine Top Place
Durham, NC 27705

Ms. Emogene M. Longmire
1727 Oxford Road
Henderson, NC 27536

Mr. and Mrs. James V. Hobbs
770 Countrywood Lane
Henderson, NC 27537

Mrs. Dorothy M. Abbott
812 Countrywood Lane
Henderson, NC 27537

Mr. and Mrs. Charles S. Holland, Jr.
1825 Summitt Road
Henderson, NC 27536

Mr. and Mrs. Parry G. Pace
815 Countrywood Lane
Henderson, NC 27536

Mr. and Mrs. William E. Commee
1775 Countrywood Lane
Henderson, NC 27537

Mr. Michael E. Commee
755 Countrywood Lane
Henderson, NC 27537

Mr. and Mrs. Frank T. McGhee
581 Will Jefferson Road
Henderson, NC 27537

Re: Lakeshores Plantation
Deed of Easement
Our File # 06-MS-444

Ladies and Gentlemen:

As a follow-up to letter dated May 9, 2006, to you from T-Wel & Associates, LLC,
enclosed please find the following, to wit:

Mr. and Mrs. Frank T. McGhee
June 29, 2006
Page Two

- original, proposed Deed of Easement; and
- self-addressed, stamped, return envelope.

As you will note, T-Wel & Associates, LLC is proposing to grant you an easement in connection with the ownership of your property over a new paved road to be constructed from Will Jefferson Road (State Road 1331) through property owned by T-Wel & Associates, LLC as acquired by deeds recorded in Book 1111, Page 111, Book 1113, Page 684, and Book 1115, Page 408, Vance County Registry, to the property of M. Hager Rand [Tax Map 372, Block 1, Lot 11]. Thereafter, the easement to your property would continue as presently constructed.

The benefits you will receive in exchange for executing the enclosed Easement are as follows, to wit:

- The new access road to be constructed from Will Jefferson Road (State Road 1331) through the property owned by T-Wel & Associates, LLC will be paved and, thereafter, will be maintained by Lakeshores Plantation Homeowners' Association, Inc. (hereinafter "HO Association").
- You will be afforded a keyed mailbox, which will be maintained by the HO Association.
- A security gate and lights will be erected at the entrance to the subdivision with a gate (you will be provided a code for the gate) and will thereafter be maintained by the HO Association.
- You **will not** be a member of the HO Association and, thus, **will not** be required to make any initial and/or continuing contribution for the above-referenced amenities.

What you will be requested to do through your execution of the enclosed Easement is as follows, to wit:

- Agree not to use the portion of the existing access easement as described in Book 451, Page 93, which does not coincide the location of Port Drive (i.e. the existing right of way will be "straightened out"); and
- You will be requested to consent to a security gate and light being at the entrance [NOTE: This should increase security for the area].

If you have questions about this letter or the enclosure, please feel free to contact me, and I will be glad to discuss the same with you in more detail. If you are in agreement with executing the Easement, please execute the same, have your signatures notarized and be sure the notary does the following:

Mr. and Mrs. Frank T. McGhee
June 29, 2006
Page Three

- a. Fills in the county of his/her commission (**must have in order for deed to be recordable**); and
- b. Dates the notary; and
- c. Signs his/her name (**exactly as it appears on his/her seal and where indicated**); and
- d. Fills in the date of his/her commission expiration date; and
- e. Places his/her seal on the deed.

After completing the above, please return the fully executed Easement to me in the enclosed, self-addressed, stamped envelope. Thereafter, the Developer will sign the same, and it will be recorded and a fully executed recorded copy will be forwarded to you for your records. However, should you not be in agreement, please simply return the unexecuted Easement to me in the enclosed, self-addressed stamped envelope so that I may make the Developer aware of your decision.

Thanking you in advance for your assistance in this matter, I remain

Sincerely,

STAINBACK & SATTERWHITE

Michael E. Satterwhite

MES/kfd

Enclosure

4
FILED FOR RECORD
VANCE COUNTY, N.C.
CYNTHIA S. ABBOTT
REGISTER OF DEEDS

RECORDED Jun 25, 2007
AT 03:42 pm

INSTRUMENT # 03284

PREPARED BY: STAINBACK & SATTERWHITE – Michael E. Satterwhite

STATE OF NORTH CAROLINA

COUNTY OF VANCE

DEED OF EASEMENT

THIS EASEMENT is granted by **T-WEL & ASSOCIATES, LLC** ("Grantor"), to **FRANK T. McGHEE and wife, SARAH W. McGHEE** ("Grantee"), under the following circumstances:

RECITALS:

A. Grantor owns real property more particularly described in deeds recorded in Book 1111, Page 111, Book 1113, Page 684, and Book 1115, Page 408, Vance County Registry, ("Grantor's Property"); and

B. Grantee owns the real property as denominated as Tax Map 372, Block 1, Lot 10 in the office of the Vance County Tax Collector ("Grantee's Property"), which is near the Grantor's property.

STAINBACK & SATTERWHITE ATTORNEYS AT LAW HENDERSON, N.C.

to the end of the Lakeshores Plantation Subdivision where the same adjoins the property of M. Hager Rand [Tax Map 372, Block 1, Lot 11].

NOW, THEREFORE, the Grantor, in consideration of the Grantee agreeing to the following:

- Using only that portion of the previous access easement as appears in Book 451, Page 93, Vance County Registry, lying within the right of way of Port Drive from Joe Taylor Road (State Road 1332) to the property of M. Hager Rand [Tax Map 372, Block 1, Lot 11] and thereafter continuing to use the existing access easement as appears in Book 451, Page 93, from the end of Lakeshores Plantation Subdivision to and from the property of the Grantee; and
- Agreeing to the installation of a keyed mailbox and a security gate and lights at the entrance to the subdivision

does hereby grant, bargain, sell and convey unto the Grantee, their heirs, successors and assigns, a non-exclusive, perpetual easement appurtenant of ingress, egress and regress (including the right to have a keyed mailbox) over and across that portion of Port Drive which crosses the Grantor's Property from Joe Taylor Road (State Road 1332) to and from the M. Hager Rand property as shown on plat entitled "Lakeshores Plantation - Property of T-Wel & Associates, LLC," as appears in Plat Book "X" Page 354 in the office of the Register of Deeds of Vance County (the Easement Property), it being agreed between the Grantor and Grantee herein that the Grantor shall be responsible for all costs associated with the installation of Port Drive, the construction of the security gate and lights and keyed mailboxes and thereafter the maintenance of the same shall be the responsibility of Lakeshores Plantation Residential Community Association, Inc. all at no initial expense and/or continuing expense to the Grantee as the Grantee will not be a member of the Lakeshores Plantation Residential Community Association, Inc and, thus, will not have to pay dues.

TO HAVE AND TO HOLD said easement unto the Grantee, their heirs, successors and assigns forever, as an appurtenance to the Grantee's Property.

Grantor does hereby covenant with Grantee that it is lawfully seized and possessed of the Easement Property, that it has a good and lawful right to convey the

easement granted hereby, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals this 30th day of June 2006.

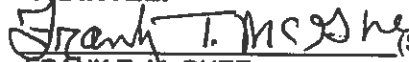
GRANTOR:

T-WEL & ASSOCIATES, LLC

BY: 
THOMAS S. HESTER, JR.
Member/Manager

BY: 
W.A. CURRIN
Member/Manager

GRANTEE:

 (SEAL)
FRANK T. MCGHEE
 (SEAL)
SARAH W. MCGHEE

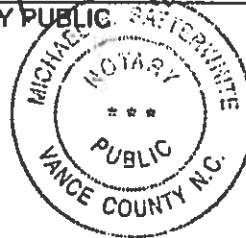
STATE OF NORTH CAROLINA**COUNTY OF VANCE**

I, a Notary Public of said county and state aforesaid, do hereby certify that **THOMAS S. HESTER, JR. and WELDON A. CURRIN**, Member/Managers, personally appeared before me this day and acknowledged that they are the Member/Managers of **T-WEL & ASSOCIATES, LLC**, a limited liability company, and that by authority duly given and as an act of the limited liability company, the foregoing instrument was signed in its name by them as its Managers on behalf of said limited liability company.

WITNESS my hand and notarial seal this 12th day of July 2006.

My Commission Expires: 3-25-08

NOTARY PUBLIC

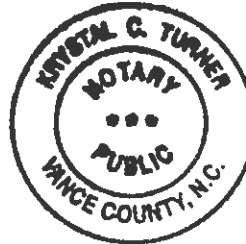
**STATE OF NORTH CAROLINA****COUNTY OF VANCE**

I, a Notary Public of said county and state, do hereby certify that **FRANK T. McGHEE and wife, SARAH W. McGHEE**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this 12th day of July 2006.

NOTARY PUBLIC

My Commission Expires: 09-20-10



RE: Tom McGhee property adjacent to Lakeshores Plantation

From: Mike Satterwhite (msatter@sszlaw.net)

To: c21knolls@aol.com

Date: Tuesday, December 19, 2023 at 03:00 PM EST

Mike Satterwhite
letter

You're welcome.

From: Faye C. Guin [mailto:c21knolls@aol.com]
Sent: Tuesday, December 19, 2023 12:21 PM
To: Mike Satterwhite <msatter@sszlaw.net>
Cc: FTMjr <ftm62@aol.com>
Subject: Re: Tom McGhee property adjacent to Lakeshores Plantation

Mike,

Thank you so much for getting back with Tom and me on this. I appreciate you!

Faye

Faye C. Guin

CENTURY 21 Country Knolls Realty, Inc.

1302 Dabney Drive

Henderson, NC 27536

252-438-2774 (Office)

252-438-2407 (Fax)

252-432-5950 (Mobile)

c21knolls@aol.com

www.CENTURY21CountryKnolls.com

Licensed in North Carolina and Virginia

On Tuesday, December 19, 2023 at 10:11:31 AM EST, Mike Satterwhite <msatter@sszlaw.net> wrote:

Faye:

The first two (2) lines of Paragraph C were inadvertently omitted from the McGhee Easement (the "Easement"). The Easement can be re-recorded to correct that error.

The Easement allows McGhee to use Port Drive for access to the McGhee property adjacent to Port Drive as shown of Plat Book X, Page 354, VCR.

Thanks,

Mike

From: FAYE GUIN [mailto:c21knolls@aol.com]
Sent: Sunday, December 03, 2023 10:29 AM
To: Mike Satterwhite <msatter@sszlaw.net>
Subject: Tom McGhee property adjacent to Lakeshores Plantation

Good morning, Mike,

Tom McGhee has asked me to determine the market value of the property he recently inherited from his mother....some approximate 40 acres located adjacent to Lakeshores Plantation. I am still in the research process of confirming what the property is....

Tom provided me a copy of a letter his parents received from you in June, 2006 that addresses T-Wel & Associates, LLC granting an easement in connection with his parents' ownership of property over a new paved road (i.e. Port Drive). The letter references an attachment that appears to have included the original, proposed Deed of Easement and a self-addressed stamped, return envelope. Tom does not have a copy of the original, proposed easement. The letter further states the grantee would "agree not to use the portion of the existing access easement as described in Book 451, page 93" (the old narrow, dirt pathway providing access from Will Jefferson Rd to the properties of existing owners along the pathway), "which does not coincide with the location of Port Drive."

He also provided me a copy of the fully executed Deed of Easement recorded June, 2007. It appears the body of that recorded Deed of Easement (Book 1154, page 147) omitted some intended language on page one, as there are three other Deeds of Easement recorded about the same time that included a section "C" that began on page one and carried over to page two. We assume it was intended that the first part of the language of section "C" was inadvertently omitted from the McGhee deed and from the Emogene Longmire Deed of Easement as well.

Also, the McGhee Deed of Easement states that the Grantee agrees to use only that portion of the previous access easement.....lying within the right of way of Port Drive from Joe Taylor Rd to the property of M. Hager Rand."

That language appears to say that Tom McGhee has the right to use Port Drive to access the property he owns that abuts Port Drive.

Can you please address the issue of the omitted language and of McGhee having access to his land via Port Drive?

Please call if any questions.

Sincerely,

Faye

Faye C. Guin

CENTURY 21 Country Knolls Realty, Inc.

1302 Dabney Drive

Henderson, NC 27536

252-438-2774 (Office)

252-438-2407 (Fax)

252-432-5950 (Mobile)

c21knolls@aol.com

www.CENTURY21CountryKnolls.com

Licensed in North Carolina and Virginia



Virus-free www.avast.com