

DRAWN BY AND RETURN TO:
Jackson Law, P.C.
3605 Glenwood Avenue, Suite 480
Raleigh, NC 27612

STATE OF NORTH CAROLINA**ENCROACHMENT AGREEMENT****COUNTY OF WAKE**

This Agreement made this 24th day of August, 2021, by SUSAN MOORE MASTEN (Hereinafter "Grantee") and BEKGAH REED MOREHEAD, fka BEKGAH L. REED and JAY MOREHEAD (Hereinafter "Grantors"), all of WAKE County, North Carolina.

STATEMENT OF FACTS

1. Grantee is the owner of that real property located at 1815 Oakboro Drive, Raleigh, NC 27614, (Lot 104 Falls River Subdivision, Phase I, Section C, as recorded in Book of Maps 1997, Pages 949-951 (950), Real Estate ID 0233270. See Deed Book 15786, Page 1716).
2. Grantors are the owners of the adjacent Lot located at 1809 Oakboro Drive, Raleigh, NC 27614, (Lot 103, Falls River Subdivision, Phase I, Section C, as recorded in Book of Maps 1997, Page 949-951 (950), Real Estate ID 0233269. See Deed Book 15787, Page 1093).
3. An unrecorded survey by G. Darrell Taylor, Professional Land Surveyor, dated August 22, 2021 disclosed that the WOOD FENCE TIE owned by Grantee encroaches onto Grantors' property by approximately 0.1 foot and the BLOCK RETAINING WALL owned by Grantee encroaches onto Grantors' property by approximately 0.2 foot, according to the survey referenced above which is attached to this Encroachment Agreement as Exhibit A.
4. Grantee and Grantors have agreed that the encroachment is to remain in the present location under the terms and conditions set forth herein.

AGREEMENT

Therefore, for valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantors hereby grant and convey to Grantee, their heirs, successors and assigns, an easement to allow the encroaching portions of the existing WOOD FENCE TIE and the BLOCK RETAINING WALL to remain in their present locations. The easement shall be over those portions of Grantors' property that are encroached by the WOOD FENCE TIE and the BLOCK RETAINING WALL as reflected in said survey and attached as Exhibit A hereto. This easement is granted upon the following terms and conditions:

1. This easement is granted to allow the above referenced encroachment to remain in its present location. Grantees shall not erect any other improvement in the easement area and shall use the easement area only to allow the encroaching portions of the WOOD FENCE TIE and the BLOCK RETAINING WALL to remain in their present locations.
2. If the encroaching portion of the WOOD FENCE TIE and/or the BLOCK RETAINING WALL are ever destroyed or substantially damaged or if Grantee ever voluntarily replaces or rebuilds the WOOD FENCE TIE and/or the BLOCK RETAINING WALL, they shall replace or rebuild it entirely on Grantee's property, in which case this easement shall terminate as to the improvement replaced.
3. In the case of termination of easement as set forth above, Grantee agrees to execute any documents acknowledging the partial or complete termination of this agreement.
4. This easement shall be binding upon and shall insure to the benefit of the parties hereto, their respective heirs, successors and assigns.

Grantee has executed this agreement for the purpose of agreeing to be bound by the provisions hereof. It is the express purpose of this agreement that Grantors will not lose possession, ownership or title to the encroached property through adverse possession as a result of the encroachment of Grantee's WOOD FENCE TIE and the BLOCK RETAINING WALL onto their property.

Signed and sealed as of the date first written above.

SIGNATURE PAGES TO FOLLOW

Grantors:

Bekkah Reed
BEKGAH REED MOREHEAD, fka BEKGAH L. REED

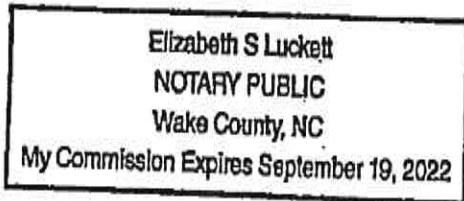
Jay Morehead
JAY MOREHEAD

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, do hereby certify that BEKGAH REED MOREHEAD, fka BEKGAH L. REED and JAY MOREHEAD did personally appear before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 24th day of August, 2021.



Elizabeth S. Lockett
Notary Public
My Commission Expires: Sept 19, 2022

Grantee:

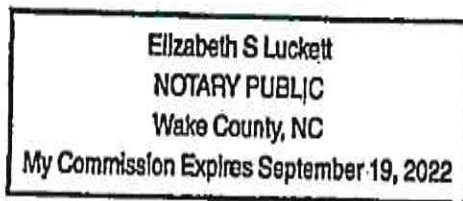
Susan Moore Masten
SUSAN MOORE MASTEN

STATE OF NORTH CAROLINA

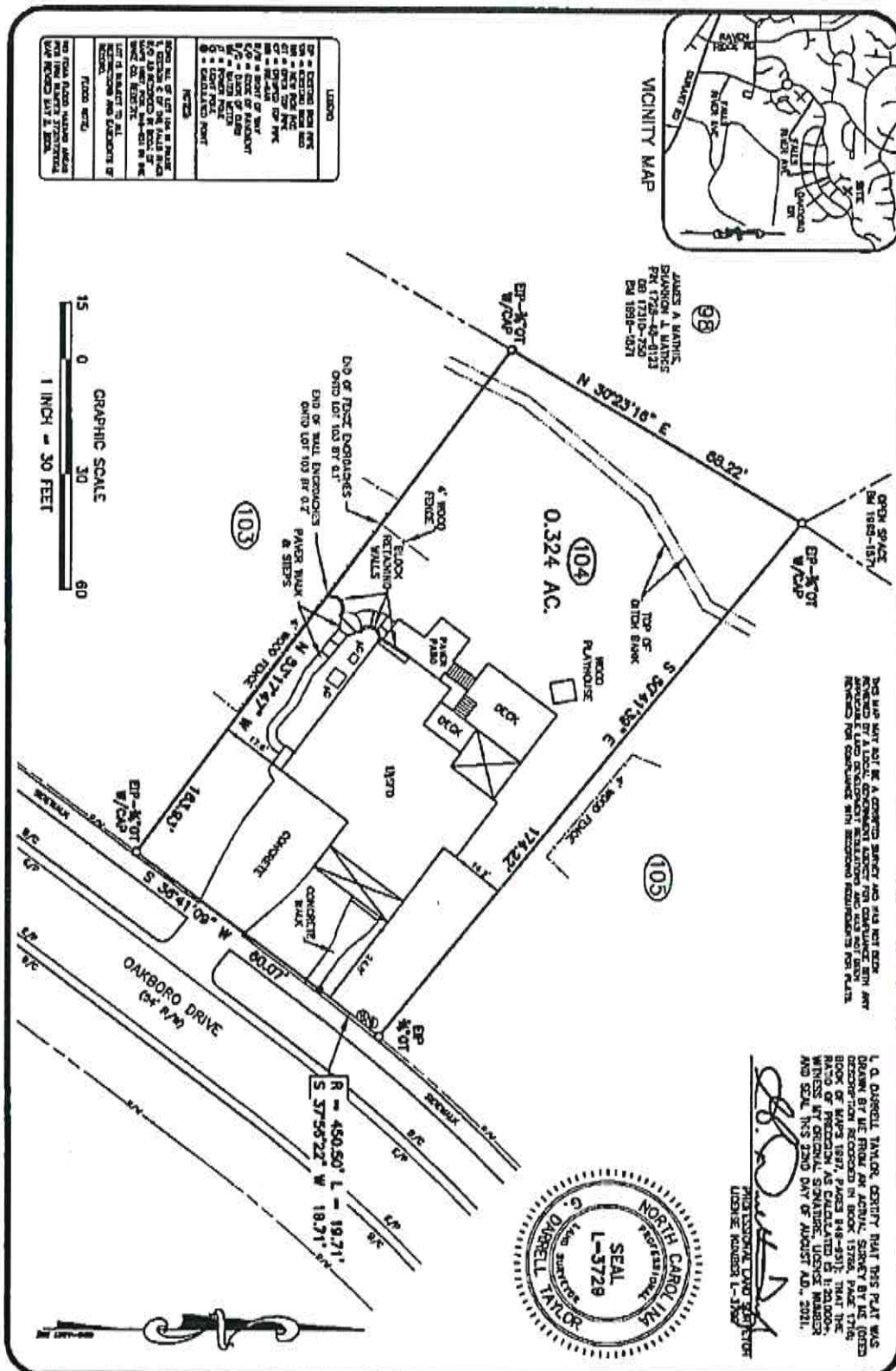
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, do hereby certify that SUSAN MOORE MASTEN did personally appear before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 24th day of August, 2021.



Elizabeth S. Lockett
Notary Public
My Commission Expires: Sept. 19, 2022



PROJ. NO.:	2021-547
FILENAME:	MORRISON
DRAWN BY:	GDT & JMT
SCALE:	1" = 30'
DATE:	03/22/21

SURVEY FOR:

AMY C. MORRISON
1815 OAKBORO DRIVE
RALEIGH, NC 27614

NEUSE TWP., WAKE CO., N.C.
PIN 172B-48-7048 DB 15786, PG 1718

G. DARRELL TAYLOR
Professional Land Surveyor
2220 Eflingham Circle
Raleigh, NC 27615
919.908.8043