

PREPARED BY & RETURN TO: Charles H. Thibaut, Atty.
NORTHERN, BLUE, ROOKS, THIBAUT,
ANDERSON & WOODS, LLP
P. O. Box 2208
Chapel Hill, NC 27515-2208

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

AMENDED DEED OF EASEMENT

THIS AMENDED DEED OF EASEMENT, made and entered into this 28th day of July, 1994 by and between WILLIAM T. DURHAM (unmarried) of Orange County, State of North Carolina, (hereinafter referred to as "DURHAM"); and THADDEUS V. SAMULSKI and wife, RICKA J. SAMULSKI (hereinafter referred to as "SAMULSKI").

W I T N E S S E T H :

WHEREAS, Durham has heretofore granted and executed a Deed of Easement to Samulski, which Deed of Easement is recorded in Deed Book 1064, at Page 145, Orange County Registry, to which reference is made for a more particular description; and

WHEREAS, the parties to this Amendment desire to amend the description of the Easement granted by Durham to Samulski.

NOW, THEREFORE, in consideration of the sum of \$10.00 and other good and valuable consideration paid by Samulski to Durham, the receipt and sufficiency of which is hereby acknowledged by Durham, Durham has given and by these presents does hereby give, grant and convey unto Samulski, their heirs, grantees, successors, and assigns, a perpetual right and easement for ingress, egress and regress and for the installation, use, maintenance, repair and replacement of utilities, including, but not limited to, electricity and telephone, over under and across the following described premises:

BEGINNING at a point said beginning point being located South 56° 32' 31" West 1,080.00 feet from a control corner as shown in Plat Book 55, at Page 27, Orange County Registry, which corner is located in the centerline of Dairyland Road, said beginning point also being the Southwest corner of Lot 8 and the Southeast corner of Lot 7 as shown and described in Plat Book 55, at Page 27, Orange County Registry; thence from said beginning point North 33° 27' 29" West 250.00 feet to a point; thence North 33° 27' 29" West 50.00 feet to a point; thence North 56° 32' 31" East 30.00 feet to a point; thence South 33° 27' 29" East 130.00 feet to a

point; thence South 56° 32' 31" West 15.00 feet to a point; thence South 33° 27' 29" East 170.00 feet to a point; thence South 56° 32' 31" West 15.00 feet to a point, the point and place of BEGINNING.

The parties to this Agreement hereby ratify and confirm all of the remaining terms, grants and conditions contained in that Deed of Easement recorded in Deed Book 1064, at Page 145, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid rights and easement to it, Samulski, their grantees and their respective heirs, successors and representatives or assigns, in title forever; it being agreed that the rights and easement hereby granted is appurtenant to and runs with the land now owned by Samulski and hereinabove referred to, and shall at all time enure to the benefit and be binding upon the undersigned, their grantees and respective heirs, successors and representatives or assigns.,

IN WITNESS WHEREOF, Durham and Samulski have hereunto set their hands and seals, the day and year first above written.

William T. Durham (SEAL)
WILLIAM T. DURHAM

Thaddeus V. Samulski (SEAL)
THADDEUS V. SAMULSKI

Ricka J. Samulski (SEAL)
RICKA J. SAMULSKI

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, Lucinda Olivia Kenney, a Notary Public for the County and State aforesaid, do hereby certify that WILLIAM T. DURHAM personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 25th day of July, 1994.

Lucinda Olivia Kenney
Notary Public

My Commission Expires: 15 Oct 96

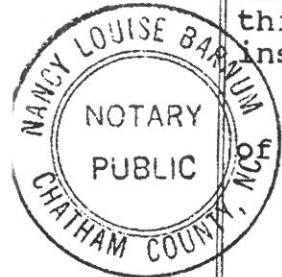
STATE OF NORTH CAROLINA
COUNTY OF Chatham

I, Nancy Louise Barnum, a Notary Public for the County and State aforesaid do hereby certify that THADDEUS V. SAMULSKI AND RICKA J. SAMULSKI each personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 26 day of July, 1994.

Nancy Louise Barnum
Notary Public

My Commission Expires: July 16, 1997



Prepared by and return to :

20081064 145

Charles H. Thibaut, NORTHEN, BLUE, LITTLE, ROOKS, THIBAUT &
ANDERSON, P.O. Box 2208. Chapel Hill, NC 27515-2208

STATE NORTH CAROLINA

COUNTY OF ORANGE

DEED OF EASEMENT

THIS DEED OF EASEMENT, made and entered into this the 18th day of December, 1992 by and between WILLIAM T. DURHAM, (unmarried) of Orange County, State of North Carolina, (hereinafter referred to as "DURHAM"); ROBERT STANCILL and wife, SUSAN STANCILL, of Orange County, State of North Carolina, (hereinafter collectively referred to as "STANCILL"); and, THADDEUS V. SAMULSKI and wife, RICKA J. SAMULSKI (hereinafter collectively referred to as "SAMULSKI").

W I T N E S S E T H :

WHEREAS, DURHAM owns a certain tract of land shown as lot 8 per Plat Book 55, Page 27, Orange County Registry entitled "Phase I, Final Plat of Durham Estates Subdivision" being 5.38 acres more or less; and,

9769-39-2351 7.110 29

9769-38-0823 7.110 28

WHEREAS, STANCILL owns a certain tract of land shown as lot 7 per Plat Book 55, Page 27, Orange County Registry being 5.16 acres more or less immediately adjacent to DURHAM's lot; and,

9769-29-7272 7.110 27

WHEREAS, SAMULSKI owns a certain tract of land shown as lot 6 per Plat Book 55, Page 27, Orange County Registry being 7.40 acres more or less immediately adjacent to DURHAM's lot and STANCILL's lot;

WHEREAS, said plat references a 30 foot easement centered on the common boundary line of lots 7 and 8 extending North from Lumley Drive (a.k.a. Creekstone Drive); and,

WHEREAS, SAMULSKI desires to affirm the existence of said easement and acquire from STANCILL a perpetual easement and right of way for ingress, egress and regress to be located over and across lot 7 on that certain plat titled "Phase I, Final Plat of Durham Estates Subdivision" dated March 5, 1990 and recorded in Plat Book 55, Page 27, Orange County Registry to which plat reference is hereby made for a more particular of same;

WHEREAS, SAMULSKI desires to affirm the existence of said easement and to acquire from DURHAM a widening of a portion of the easement for a perpetual easement and right of way for ingress, egress and regress and for the installation, use, maintenance, repair, and replacement of utilities, including but not limited to electricity and telephone, to be located over, under and across lot 8 on that certain plat titled "Phase I, Final Plat of Durham Estates Subdivision" dated March 5, 1990 and recorded in Plat Book

55, Page 27, Orange County Registry to which plat reference is hereby made for a more particular of same;

NOW, THEREFORE, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, STANCILL has given and by these presents does hereby give, grant, and convey to SAMULSKI, his grantees and their respective heirs, successors and representatives or assigns, a perpetual right and easement for ingress, egress and regress over and across the following described premises:

BEGINNING at a point said Beginning point being located South $56^{\circ} 32' 31''$ West 1,080 feet more or less from a control corner located in the centerline of Dairyland Road along the property line of lot 9 and lot 8 said Beginning point also being the southwest corner of lot 8 and the southeast corner of lot 7 per plat hereinbelow referenced; thence from said Beginning point North $33^{\circ} 27' 29''$ West 250 feet to a corner, said corner also being a common corner of lots 6, 7 and 8 per plat hereinbelow referenced; thence South $87^{\circ} 19' 57''$ West 15 feet more or less to the edge of the 30' easement shown on the plat hereinbelow referenced; thence South $33^{\circ} 27' 29''$ East 250 feet more or less back to the right-of-way of Lumley Drive as shown on the plat hereinbelow referenced; thence North $56^{\circ} 32' 31''$ East 15 feet to point and place of beginning and being a portion of lot 7 as shown on the plat recorded in Plat Book 55, Page 27, Orange County Registry to which plat is hereby made for a more particular of same;

FURTHER, THEREFORE, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, DURHAM has given and by these presents does hereby give, grant, and convey to SAMULSKI, his grantees and their respective heirs, successors and representatives or assigns, a perpetual right and easement for ingress, egress and regress and for the installation, use, maintenance, repair, and replacement of utilities, including but not limited to electricity and telephone over, under and across the following described premises:

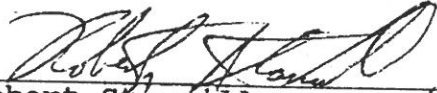
BEGINNING at a point said Beginning point being located South $56^{\circ} 32' 31''$ West 1,080 feet more or less from a control corner located in the centerline of Dairyland Road along the property line of lot 9 and lot 8 said Beginning point also being the southwest corner of lot 8 and the southeast corner of lot 7 per plat hereinbelow referenced; thence from said Beginning point North $33^{\circ} 27' 29''$ West 250 feet to a corner; thence North $33^{\circ} 27' 29''$ West 50 feet to a new corner; thence North $56^{\circ} 32' 31''$ 20 feet to a new corner; thence South $33^{\circ} 27' 29''$ East 100 feet to a new corner; thence South $56^{\circ} 32' 31''$ West 5 feet to a new corner; thence South $33^{\circ} 27' 29''$ East 200 feet to the right-of-way of Lumley Drive; thence along the property line of lot 8 per plat hereinbelow referenced South $56^{\circ} 32' 31''$ West 15 feet to the point

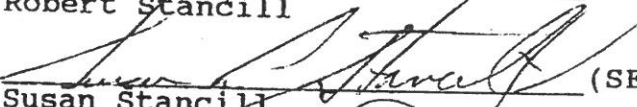
and place of Beginning and being a portion of lot 8 as shown on the plat recorded in Plat Book 55, Page 27, Orange County Registry to which plat is hereby made for a more particular of same;

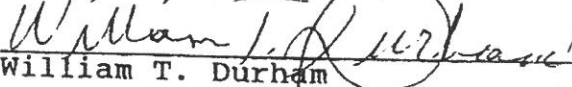
It is agreed and understood by all parties that at the present time the maintenance of the existing driveway and costs incidental to that maintenance in the above-referenced easements are the sole responsibility of the owner of lot 6 of the plat hereinbefore referenced. However, it is also agreed and understood by all parties that if the owner(s) of lot 7 and/or lot 8 of the plat hereinbefore referred to should use all or any portion of said driveway, that owner or owners will pay a prorata share of the maintenance of the driveway and the costs incidental to that maintenance.

TO HAVE AND TO HOLD the aforesaid rights and easement to it, SAMULSKI, his grantees and their respective heirs, successors and representative or assigns, in title forever; it being agreed that the rights and easement hereby granted is appurtenant to and runs with the land now owned by SAMULSKI and hereinabove referred to, and shall at all times inure to benefit and be binding upon the undersigned, his grantees and their respective heirs, successors and representatives or assigns.

IN TESTIMONY WHEREOF, DURHAM and STANCILL have hereunto set their hands and seals the day and year first written above.


Robert Stancill (SEAL)


Susan Stancill (SEAL)

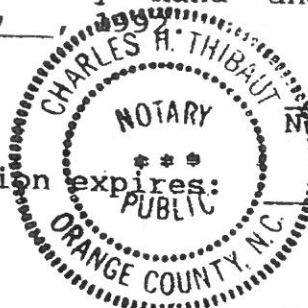

William T. Durham (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Orange

Personally appeared before me this day ROBERT STANCILL AND SUSAN STANCILL, and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this 18 day of December, 1992.



Charles H. Thibaut
Notary Public

My commission expires:

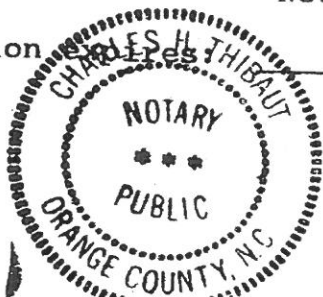
7-28-93

STATE OF NORTH CAROLINA

COUNTY OF Orange

Personally appeared before me this day WILLIAM T. DURHAM, and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this 18th day of December, 1992.



Charles H. Thibaut
Notary Public

My commission expires:

7-28-93

State of North Carolina - Orange County

The foregoing certificate(s) of

Charles H. Thibaut,

A Notary Public of

are hereby certified to be correct. See Filing certificate herein.

This the 21st day of

Dec. A.D. 1992

Betty June Hayes
Register of Deeds

Deborah B. Brum
By: Assistant Deputy
Register of Deeds

FILED

21 DEC 1992, at 03:54:55PM

Book 1064, Page 145 - 148

Betty June Hayes,

Register of Deeds,

Orange County, N. C.