

9715 NINE EAGLES LN

19935201

4/30/08

marliwr

Groundwater and Wastewater Services File Imaging Project
May 2007
Barcode Font = IDAutomationHC39M

08/19/1996 CHAR-MECK TAX DEPARTMENT PUBLIC ACCESS SYSTEM TDPA030 C
08:53 AM CURRENT REAL ESTATE DETAIL SUMMARY TP03

199-352-01 FIRE: 24 TWP: 3 SITUS: MECK SD:
OWNER/MAILING ADDRESS MORT: ANNEXED:
YAGER DEXTER R SR
&WF BIRDIE N TYPE : INDIVIDUAL
PO BOX 412080 DEED : 6290 0015
DATE : 06/01/1990
CHARLOTTE NC 28241

TOT ACRE: 1.070 AC LEGAL: P25 SEC M17-651 & ADJ
SITUS: 9715 NINE EAGLES LN MECK

CARD 1 OF 1 1996 APPRAISAL DATA TOTAL VALUE

		LAND	185,000
BUILT 1994	NET COND % : .90	BLDG	933,950
SQFT: 12,728	AUX SQ. FT : 1,272	OBXF	80,340
ZONE: R5	NEIGHBORHOOD: 19901	TAXABLE	1,199,290
ACRE: 1.070			

USE/MODEL: SINGLE FAM/SINGLE FAM

<-TYPE CHOICE, F5:MORE INFO F7:UP CLEAR:RESET
PRESS ENTER. F1:HELP F2:OPTIONS F3:RETURN F6:PREV INFO F8:DOWN F12:EXIT
23-02 SA MW KS DM IM II S1 S1037498 KB

400 ✓
2443A

INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM
APPLICATION FOR SERVICES

Mecklenburg County Health Dept.
Environmental Health Division
c/o Hal Marshall Ctr., Suite 211
700 N. Tryon St.
Charlotte, NC 28202

(704)336-5102

Date: 10-4-93

PERSON FILING APPLICATION:
NAME: McKenzie (last) Charles (first) T (mi)
ADDRESS: 600 Tryon Centre Blvd PHONE: (__) 889-2500
CITY: Charlotte STATE: N.C. ZIPCODE: 28134

PROPERTY INFORMATION (FROM ENGINEERING FORM):
TAX/PARCEL NUMBER: 199-352-01
STREET ADDRESS: 9715 ~~Tempo St~~ Nine Eagles Lane
ZONING:

PROPERTY OWNER:
NAME: [redacted] Yager (last) Dexter (first) R (mi)
ADDRESS: 9719 Tempo St PHONE: (__) 889-2500
CITY: Charlotte STATE: N.C. ZIPCODE: 28134

SUBDIVISION OR MOBILE HOME PARK NAME:

Township (check one):
[ ] 0 Mecklenburg County [ ] 2 Davidson [ ] 4 Pineville [ ] 6 Huntersville
[X] 1 Charlotte [ ] 3 Cornelius [ ] 5 Matthews [ ] 7 Mint Hill

TYPE APPLICATION (check one):

LOT NUMBER: P35 LOT SIZE (in acres):

[ ] SOIL TEST - INDIVIDUAL LOT (D)
[X] NEW CONSTRUCTION ON VACANT LOT - 4 BEDROOMS OR LESS (N)
[ ] EXCHANGE MOBILE HOME - SAME # BEDROOMS (Y)
[ ] ADDITION - INCREASE ROOMS/OCCUPANCY/MOBILE HOME SIZE (A or M)
[ ] COMMERCIAL OR INDUSTRIAL (N)
[ ] SOIL TEST DEVELOPMENT (P)
[ ] ADDITION - GARAGE OR RENOVATION/NO MAJOR CHANGES (X)
[ ] MODIFIED /ALTERNATIVE/ OR RESIDENCE > 4 BEDROOMS (Z)
[ ] REPAIR TO SYSTEM (R)

RESIDENTIAL PROPERTY (Type Building, check one):
[ ] SINGLE MOBILE HOME (S) [X] HOUSE (H) [ ] MULTIPLE FAMILY (U)
[ ] DOUBLE WIDE (D) [ ] MODULAR HOME (M) [ ] OTHER _____ (O)

NUMBER BEDROOMS: 4 NUMBER OCCUPANTS: 2
SYSTEM CLASSIFICATION:

COMMERCIAL/INDUSTRIAL PROPERTY:
Type Business _____ # Employees ___ Per Shift ___ ___ ___
Industrial Wastes (Y/N) ___
Underground Storage Tanks On Property (Y/N) ___ Type _____

WATER SUPPLY (check one):
[ ] Community (C) [ ] Shared Well (S)
[ ] Municipal (M) [ ] Other 'spring' (O)
[ ] Private Well (P)

FUTURE ADDITIONS - ALL PLANNED ADDITIONS MUST BE ENTERED (check all that apply):
[ ] Swimming Pool [ ] Jacuzzi [ ] Stable/Barn [ ] Workshop [ ] None
[ ] Garage [ ] Storage Building [ ] Deck/Patio [ ] Bedrooms [ ] Other

The undersigned, owner, or legal agent for the owner, of the property described above as the "JOB LOCATION" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the MECKLENBURG COUNTY HEALTH DEPARTMENT to enter onto the property for the purpose of processing this request.

Signed: C D McKenzie Date: 10-4-93

NOTICE:

The undersigned, an authorized agent of the MECKLENBURG COUNTY HEALTH DEPARTMENT, certifies that the Department has approved the the Request for the Job Location contained in this document. This approval is granted in accordance with the provisions of Laws And Rules For Sanitary Sewage Collection, Treatment And Disposal in effect at the time of issuance of the permit and is subject to the following provisions:

...No work shall be conducted on the septic tank system until an installation, Construction, Alteration and/or Repair approval is granted by this Department.

...This permit is not transferable.

...Approved for a 4 bedroom home w/ Sys Pump required

[X] IMPROVEMENT PERMIT - VALID 60 MONTHS FROM ISSUANCE
[ ] MOBILE HOME EXCHANGE APPROVAL - VALID 6 MONTHS FROM ISSUANCE
[ ] ADDITION/RENOVATION APPROVAL - VALID 1 YEAR FROM ISSUANCE

Judy J Kain R.S. 10/5/93
Environmentalist Date

Director or Authorized Section Head Date

WWATER : 122791

INDIVIDUAL WATER AND WASTEWATER SYSTEMS PROGRAM
APPLICATION FOR SERVICES

PP 200.00 CHK 2755 4/9/93 CRT

Mecklenburg County Health Dept.
Environmental Health Division
c/o Hal Marshall Ctr., Suite 211
700 N. Tryon St.
Charlotte, NC 28202

(704)336-5102 4/37A

Date:

PERSON FILING APPLICATION:
NAME: McKenzie (last) Chip (first) (mi)
ADDRESS: 600 Town Centre Blvd PHONE: (__) 889-2500
CITY: Pineville STATE: ZIPCODE:

PROPERTY INFORMATION (FROM ENGINEERING FORM):
TAX/PARCEL NUMBER: 199 35202
STREET ADDRESS: 9701 Tempo St
ZONING:

PROPERTY OWNER:
NAME: Yager (last) Dexter (first) (mi)
ADDRESS: 9719 Tempo St PHONE: (__) 889-2500
CITY: Charlotte STATE: ZIPCODE:

SUBDIVISION OR MOBILE HOME PARK NAME:

Township (check one):
[] 0 Mecklenburg County [] 2 Davidson [] 4 Pineville [] 6 Huntersville
[] 1 Charlotte [] 3 Cornelius [] 5 Matthews [] 7 Mint Hill

TYPE APPLICATION (check one):

LOT NUMBER: LOT SIZE (in acres):

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[X] NEW CONSTRUCTION ON VACANT LOT - 4 BEDROOMS OR LESS (N)
[] EXCHANGE MOBILE HOME - SAME # BEDROOMS (Y)
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[] SINGLE MOBILE HOME (S) [] HOUSE (H) [] MULTIPLE FAMILY (U)
[] DOUBLE WIDE (D) [] MODULAR HOME (M) [] OTHER ____ (O)

NUMBER BEDROOMS 4 NUMBER OCCUPANTS:
SYSTEM CLASSIFICATION:

COMMERCIAL/INDUSTRIAL PROPERTY:
Type Business _____ # Employees ___ Per Shift ___ ___ ___
Industrial Wastes (Y/N) ___
Underground Storage Tanks On Property (Y/N) ___ Type _____

WATER SUPPLY (check one):
[] Community (C) [] Shared Well (S)
[] Municipal (M) [] Other 'spring' (O)
[X] Private Well (P)

FUTURE ADDITIONS - ALL PLANNED ADDITIONS MUST BE ENTERED (check all that apply):
[] Swimming Pool [] Jacuzzi [] Stable/Barn [] Workshop [] None
[] Garage [] Storage Building [] Deck/Patio [] Bedrooms [] Other

The undersigned, owner, or legal agent for the owner, of the property described above as the "JOB LOCATION" has read the foregoing application, acknowledges that the contents of same are true, and authorizes agents of the MECKLENBURG COUNTY HEALTH DEPARTMENT to enter onto the property for the purpose of processing this request.

Signed: X C. McK Date: X 8-9-93

NOTICE:

The undersigned, an authorized agent of the MECKLENBURG COUNTY HEALTH DEPARTMENT, certifies that the Department has approved the the Request for the Job Location contained in this document. This approval is granted in accordance with the provisions of Laws And Rules for Sanitary Sewage Collection, Treatment And Disposal in effect at the time of issuance of the permit and is subject to the following provisions:

...No work shall be conducted on the septic tank system until an installation, Construction, Alteration and/or Repair approval is granted by this Department.

...This permit is not transferable.

...

[] IMPROVEMENT PERMIT - VALID 60 MONTHS FROM ISSUANCE
[] MOBILE HOME EXCHANGE APPROVAL - VALID 6 MONTHS FROM ISSUANCE
[] ADDITION/RENOVATION APPROVAL - VALID 1 YEAR FROM ISSUANCE

Environmentalist Date

Director or Authorized Section Head Date

SERVICES NOT NEEDED.

WATER : 122791

Transfer fee of $200.00 Paid on 9/9/93 to Fee #2439

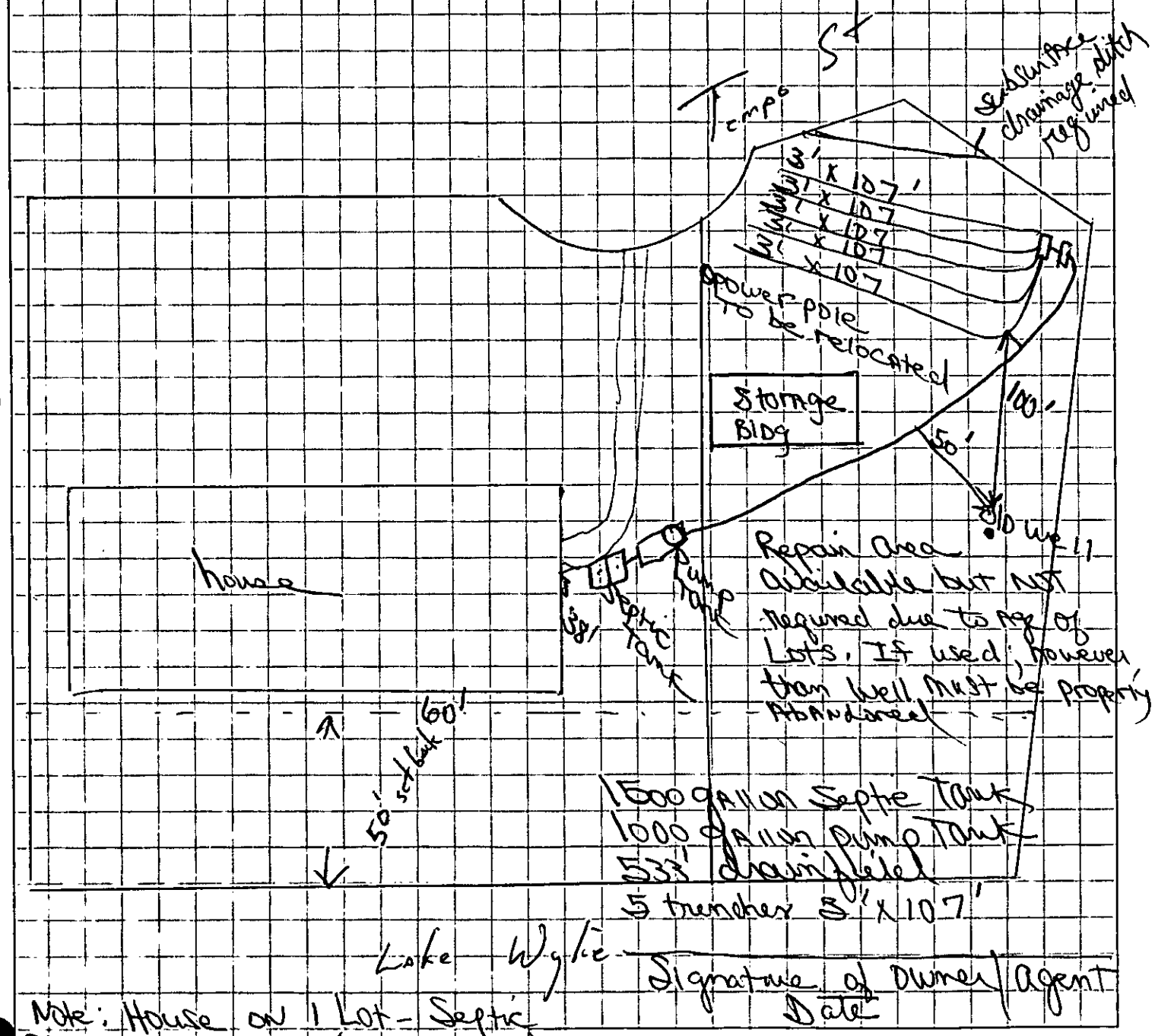
PROPOSED PLOT PLAN

HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 4437A

TC: 199-352-02

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries, proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



Signature of Owner/Agent

Date

APPROVAL DATE _____

Note: House on 1 Lot - Septic field on Adjacent (Sep. deeded) Lot. Easement Agreement to be recorded & Copy held in this file

White - Health Department's Copy Canary - Environmentalist's Copy Pink - Owner's Copy

Mecklenburg County

Health Department

February 27, 1995

Dexter R. Yager
P. O. Box 1110
Pineville, NC 28234

Dear Mr. Yager:

An inspection was made at the property located at 9701 Tempo Street, Charlotte, N.C. to facilitate the issuance of an Operation Permit for the sewage treatment and disposal system. During the inspection it was found that the following items did not meet the regulations set forth in the "Laws and Rules for Sewage Treatment and Disposal Systems, 15A NCAC 18A .1900; 1952 Septic Tank, Dosing, Dosing Tank and Lift Station Design." Our comments follow:

1. (6)Pump and control circuits shall be provided with manual circuit disconnects within a watertight, corrosion-resistant, outside enclosure (NEMA 4X or equivalent) adjacent to the pump tank, securely mounted at least 12 inches above the finished grade. The pump(s) shall be manually operable without requiring the use of special tools or entrance into the tank for testing purposes. Conductors shall be conveyed to the disconnect enclosure through water proof, gas proof, and corrosion-resistant conduits, with no splices or junction boxes provided inside the tank. Wire grips, duct seals, or other suitable material shall be used to seal around wire and wire conduit openings inside the pump tank and disconnect enclosure.

2. (9) The pump tank shall have a properly functioning high-water alarm. The alarm circuit shall be supplied ahead of any pump overload and short circuit protective devices. The alarm shall be audible and visible by system users and weatherproof if installed outdoors in an enclosure (NEMA 4X or equivalent).

The above mentioned items must be installed and inspected prior to the Operation Permit being issued. The Operation Permit is <u>required</u> for the Certificate of Occupancy and the permanent electric hook-ups. Please schedule inspections at least five (5) working days in advance to ensure there are no delays in the Operation Permit issuance.

Please call me at 336-5571 to discuss any questions you may have concerning this matter.

Sincerely,

Judy J. Kiser, R.S.
Individual Water and Wastewater Systems

Environmental Health Division

700 North Tryon Street • Suite 211 • Charlotte, North Carolina 28202-2236

Mecklenburg County
Health Department

Betty S. Snow, R.N., M.A.
Health Director

M E M O R A N D U M

DATE: October 4, 1993

TO: Files 2443A, 4437A

FROM: Judy J. Kiser, R.S.

RE: Construction history at above sites known as tax parcel #199-35201, property address 9715 Tempo Street, and Tax Parcel #199-352-02, property address 9701 Tempo Street

9715 Tempo Street, property of Dexter R. Yager is the original dwelling built on the lot many years ago. The records show a garage addition and a room addition for this home have been previously approved by this office and built.

9701 Tempo Street, property of Dexter R. Yager also at one time had a house which has been demolished. (There is no demolition permit listed on the CRT for 9701 Tempo, the record actually shows the demolition for 9715 Tempo Street). The house is demolished at 9701 Tempo Street and the house remains TODAY, October 4, 1993 at 9715 Tempo Street.

Mr. Yaeger is now proposing to also demolish the existing house at 9715 Tempo Street and rebuild a new 4 bedroom for which he has been granted approval by this office. The NOW VACANT lot at 9701 Tempo Street, Tax parcel # 199-352-02 will be the site location for the septic system installation for the new house to be built. The proper easement forms has been recorded and are in the file which will be 2443A. Both files are now combined since there will only be one dwelling and the other lot is the septic field location.

This memorandum is written only to show the actual known history in the event of future construction.

BK: 07486 PG: 0670/0676 #:0351 20.00

2443A

FILED FOR REGISTRATION 10/04/93 15:22
JODITH A GIBSON REG OF DEEDS MECK NC

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

SEPTIC TANK DRAIN FIELD EASEMENT AGREEMENT

COPY

This EASEMENT made this 4th day of ~~September~~ October, 19 93, by and between

GRANTOR	GRANTEE
Dexter R. Yager, Sr. and wife, Birdie N. Yager	Dexter R. Yager, Sr. and wife, Birdie N. Yager 12201 Steele Creek Rd. P.O. Box 412080 Charlotte, NC 28241-8834

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell And convey unto the Grantee an easement as hereinafter described, to run with the land, upon that certain lot or parcel of land owned by Grantor and located in the City of _____, Steele Creek Township, Mecklenburg County, North Carolina, and more particularly described as follows:

Mecklenburg Tax Parcel No. 199-352-02, as shown on a page of the County Tax Map attached hereto as Exhibit A
Lot 24-A Section 40 of Lake Wylie recorded in Map Book 17 Page 651 (if applicable)

See the plat attached hereto as Exhibit B and the parcel shown thereon identified with Grantor's name for the legal description of Grantor's parcel and of the Septic Tank Drain Field Easement Area located thereon, said parcel labeled thereon and hereinafter referred to as the "Easement Parcel."

Grantor hereby imposes said easement for the benefit of Grantee as the present owner and for the benefit of future owners of the following lot or parcel of land, situated in the City of _____, Steele Creek Township, Mecklenburg County, North Carolina, and more particularly described as follows:

Mecklenburg Tax Parcel No. 199-352-01,10 & 11, as shown on a page of the County Tax Map attached hereto as Exhibit A
all of Lot 25 A, B, & C Section 40 of Lake Wylie recorded in Map Book 17 Page 651 (if applicable)

See the plat attached hereto as Exhibit B and the parcel identified with Grantee's name for the legal description of Grantee's parcel, said parcel labeled thereon and hereinafter referred to as the "Benefitted Parcel."

Said easement shall enable the Grantee to place, if, as and when needed, such need to be determined by the Grantee in his sole discretion, a septic tank and drain field or portions thereof, upon the Septic Tank Drain Field Easement Area on the Easement Parcel and to inspect, maintain, repair and replace the components of said septic tank and drain field at any time and from time to time. If the Easement Area also includes a connector strip for ingress and egress, Grantee shall have the right to use said connector strip for access as needed. This Easement shall automatically expire should Grantee ever hook up the structure located or to be located on the Benefitted Parcel to a public or community sanitary sewage system but shall otherwise be perpetual.

This instrument was prepared by: Culp Elliott Marsh & Carpenter

Mail after recording to: Culp Elliott Marsh & Carpenter, 402 W. Trade St., Ste. 200, Charlotte, NC 28202

GRANTORACKNOWLEDGES THAT THE SEPTIC TANK DRAIN FIELD EASEMENT AREA CANNOT BE USED AND WILL NOT BE USED FOR ANY OF THE FOLLOWING ACTIVITIES OR IN ANY OF THE FOLLOWING WAYS:

- Grading or filling
- Parking or driving heavy equipment in the area or in any other way compacting the soil in the Area
- Excavating soil from the Area
- Placing footings or foundations or engaging in any other construction activity in the Area
- Placing in-ground or above-ground swimming pools in the Area
- Placing irrigation systems in the Area
- Placing underground utility lines or cables in the Area
- Planting trees or gardens in the Area
- Removing any large trees in the Area unless dead or diseased
- Using the area for the burial of stumps, trash, or any other type of construction material
- Using the Area for gravesites
- Diverting the natural flow of water onto the Area by way of drainage ditches or diversion ditches or using the Area to receive water from any gutter or downspout discharges

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals, or if corporate, have caused this instrument to be signed in their corporate names by their duly authorized officers and their seals to be hereunto affixed by authority of their Boards of Directors, the day and year first above written.

GRANTOR

Dexter R. Yager, Sr. (SEAL)

Birdie N. Yager (SEAL)

_____ (SEAL)

_____ (SEAL)

_____
(Corporate Name)

BY: _____

_____ President

ATTEST:

_____

_____ Secretary (Corporate Seal)

SEAL-STAMP

North Carolina, Mecklenburg County

I, a Notary Public of the County and State aforesaid, certify that Dexter R. Yager, Sr. and Birdie N. Yager, Grantor, personally appeared before me this day and acknowleged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 1ST day of October, 1993.

My Commission Expires: 11/9/94 Anne M Pawlik
(Notary Public)

SEAL-STAMP

North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowleged that he is _____ Secretary of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My Commission Expires: _____ _____
Notary Public

Grantee

(Corporate Name)

BY: _____

_____ President

ATTEST:

_____

_____ Secretary (Corporate Seal)

Dexter R. Yager, Sr. (SEAL)

Birdie N. Yager (SEAL)

_____ (SEAL)

SEAL-STAMP

North Carolina, Mecklenburg County

I, a Notary Public of the County and State aforesaid, certify that Dexter R. Yager, Sr. and Birdie N. Yager, Grantee, personally appeared before me this day and acknowleged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 1st day of October, 1993.

My Commission Expires: 11/19/94 Anne M Pawlek
(Notary Public)

SEAL-STAMP

North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowleged that he is _____ Secretary of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My Commission Expires: _____ _____
Notary Public

This document is not to be recorded until approved by the Mecklenburg County Health Department.

APPROVED AS TO THE SEPTIC REPAIR AREA REQUIREMENTS:

MECKLENBURG COUNTY HEALTH DEPARTMENT

BY: Judy T. Kiser DATE: 10/4/93

Judy T. Kiser
(print name)

Approval by the Mecklenburg County Health Department does not certify or extend to matters of title. The purchaser of property subject to or affected by this easement is responsible for ascertaining all matters affecting the validity and enforceability of this instrument.

6256p

PG. 36

PG. 37

PG. 09

ROAD #1378

#1115

325'

ISLAND POINT RD.

DUKE POWER CO R/W

TEMPO ST

WANEDEN LN.

TYWALD CT.

351
101.6AC±

352

9
160AC±

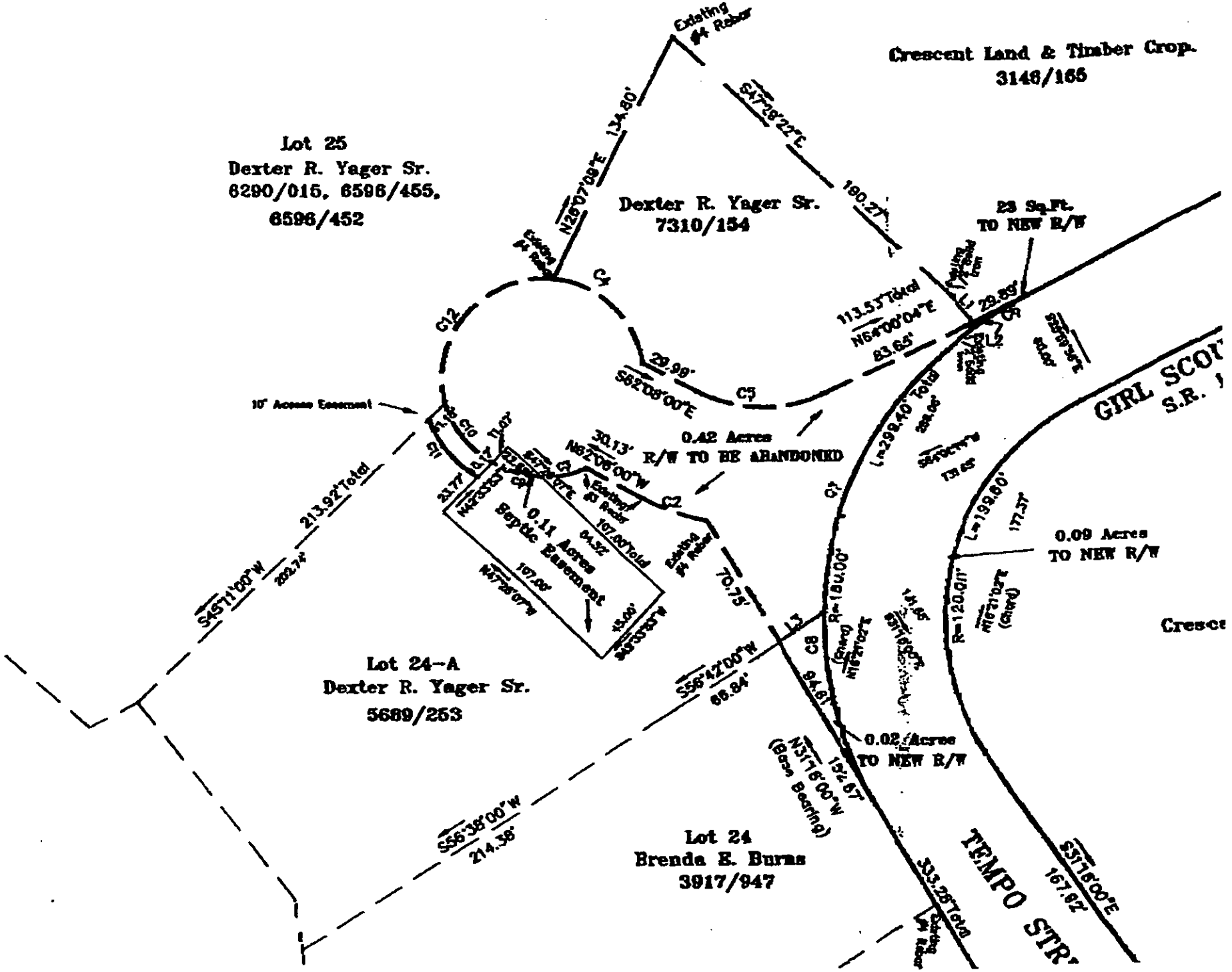
ALL LOTS IN SECTION 40

TAX LINE MAP BOOK 199 PAGE 35	
MECKLENBURG COUNTY, NORTH CAROLINA	
REVISED	SCALE 1" = 400'

FOR TAX PURPOSES ONLY

Exhibit A

Exhibit B


Crescent Land & Timber Crop.
3146/165
Lot 25
Dexter R. Yager Sr.
6290/015, 6596/455,
6596/452
Dexter R. Yager Sr.
7310/154
Existing #4 Rebar
N26°07'08"E 134.80'
S47°18'22"E 190.27'
23 Sq.Ft.
TO NEW R/W
C4
C12
C5
29.99'
S82°08'00"E
113.57' Total
N64°00'04"E
83.65'
29.89'
C6
10' Access Easement
0.42 Acres
R/W TO BE ABANDONED
30.13'
N82°08'00"W
C1
C10
C11
C2
C3
213.92' Total
S45°11'00"W
202.74'
0.11 Acres
Septic Easement
167.00'
N47°38'07"W
15.00'
S42°22'07"E
167.00' Told
Existing #5 Rebar
70.75'
Lot 24-A
Dexter R. Yager Sr.
5689/253
S56°42'00"W
66.84'
S56°38'00"W
214.38'
L=298.40' Total
C7
R=180.00'
L=199.60'
R=120.01'
177.37'
0.09 Acres
TO NEW R/W
GIRL SCOU
S.R.
Cresce
L2
C8
94.61'
N31°16'00"W
(Base Bearing)
174.67'
0.02 Acres
TO NEW R/W
Lot 24
Brenda E. Burns
3917/947
333.28' Told
S31°16'00"E
167.92'
TEMPO STR

LINE	DIRECTION	DISTANCE
L1	S43°38'57"E	17.69'
L2	S47°38'57"E	2.48'
L3	N36°42'00"E	27.48'

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	280.42'	37.95'	37.93'	S39°27'34"E
C2	130.99'	35.85'	35.74'	S39°38'29"E
C3	50.00'	23.82'	23.41'	S76°24'18"W
C4	50.00'	88.96'	82.09'	N47°15'07"W
C5	70.99'	66.74'	64.31'	S89°03'58"E
C6	180.00'	29.30'	29.27'	N39°20'15"E
C7	180.00'	189.34'	183.17'	S27°45'19"W
C8	180.00'	100.75'	99.44'	S15°15'54"E
C9	50.00'	25.57'	25.24'	N79°28'20"W
C10	50.00'	38.05'	37.14'	N37°03'07"W
C11	80.00'	38.12'	37.48'	N36°42'04"W
C12	50.02'	95.68'	81.73'	N39°34'58"E

2443A

BK: 07486 PG: 0670/0676 #:0351 20.00

FILED FOR REGISTRATION 10/04/93 15:22
JODITH A GIBSON REG OF DEEDS MECK NC

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

SEPTIC TANK DRAIN FIELD EASEMENT AGREEMENT

COPY

This EASEMENT made this 4th day of ~~September~~ October, 19 93, by and between

GRANTOR	GRANTEE
Dexter R. Yager, Sr. and wife, Birdie N. Yager	Dexter R. Yager, Sr. and wife, Birdie N. Yager 12201 Steele Creek Rd. P.O. Box 412080 Charlotte, NC 28241-8834

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee an easement as hereinafter described, to run with the land, upon that certain lot or parcel of land owned by Grantor and located in the City of _____, Steele Creek Township, Mecklenburg County, North Carolina, and more particularly described as follows:

Mecklenburg Tax Parcel No. 199-352-02, as shown on a page of the County Tax Map attached hereto as Exhibit A
Lot 24-A Section 40 of Lake Wylie recorded in Map Book 17 Page 651 (if applicable)

See the plat attached hereto as Exhibit B and the parcel shown thereon identified with Grantor's name for the legal description of Grantor's parcel and of the Septic Tank Drain Field Easement Area located thereon, said parcel labeled thereon and hereinafter referred to as the "Easement Parcel."

Grantor hereby imposes said easement for the benefit of Grantee as the present owner and for the benefit of future owners of the following lot or parcel of land, situated in the City of _____, Steele Creek Township, Mecklenburg County, North Carolina, and more particularly described as follows:

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This instrument was prepared by: Culp Elliott Marsh & Carpenter

Mail after recording to: Culp Elliott Marsh & Carpenter, 402 W. Trade St., Ste. 200, Charlotte, NC 28202

GRANTORACKNOWLEDGES THAT THE SEPTIC TANK DRAIN FIELD EASEMENT AREA CANNOT BE USED AND WILL NOT BE USED FOR ANY OF THE FOLLOWING ACTIVITIES OR IN ANY OF THE FOLLOWING WAYS:

- Grading or filling
- Parking or driving heavy equipment in the area or in any other way compacting the soil in the Area
- Excavating soil from the Area
- Placing footings or foundations or engaging in any other construction activity in the Area
- Placing in-ground or above-ground swimming pools in the Area
- Placing irrigation systems in the Area
- Placing underground utility lines or cables in the Area
- Planting trees or gardens in the Area
- Removing any large trees in the Area unless dead or diseased
- Using the area for the burial of stumps, trash, or any other type of construction material
- Using the Area for gravesites
- Diverting the natural flow of water onto the Area by way of drainage ditches or diversion ditches or using the Area to receive water from any gutter or downspout discharges

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals, or if corporate, have caused this instrument to be signed in their corporate names by their duly authorized officers and their seals to be hereunto affixed by authority of their Boards of Directors, the day and year first above written.

GRANTOR

Dexter R. Yager, Sr. (SEAL)

Birdie N. Yager (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (Corporate Name)

BY: _____

_____ President

ATTEST:

_____

_____ Secretary (Corporate Seal)

SEAL-STAMP North Carolina, Mecklenburg County

I, a Notary Public of the County and State aforesaid, certify that Dexter R. Yager, Sr. and Birdie N. Yager, Grantor, personally appeared before me this day and acknowleged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 1ST day of October, 1993.

My Commission Expires: 11/9/94 Anne M Pawlik
(Notary Public)

SEAL-STAMP North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowleged that he is _____ Secretary of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My Commission Expires: _____

_____
Notary Public

Grantee

(Corporate Name)

BY: _____

_____ President

ATTEST:

_____

_____ Secretary (Corporate Seal)

Dexter R. Yager, Sr. (SEAL)

Birdie N. Yager (SEAL)

_____ (SEAL)

SEAL-STAMP North Carolina, Mecklenburg County

I, a Notary Public of the County and State aforesaid, certify that Dexter R. Yager, Sr. and Birdie N. Yager, Grantee, personally appeared before me this day and acknowleged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 1st day of October, 1993.

My Commission Expires: 11/2/94 Anne M Powell
(Notary Public)

SEAL-STAMP North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowleged that he is _____ Secretary of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My Commission Expires: _____ _____
Notary Public

This document is not to be recorded until approved by the Mecklenburg County Health Department.

APPROVED AS TO THE SEPTIC REPAIR AREA REQUIREMENTS:

MECKLENBURG COUNTY HEALTH DEPARTMENT

BY: Judy T. Kiser DATE: 10/4/93

Judy T. Kiser
(print name)

Approval by the Mecklenburg County Health Department does not certify or extend to matters of title. The purchaser of property subject to or affected by this easement is responsible for ascertaining all matters affecting the validity and enforceability of this instrument.

6256p

PG. 36

PG. 37

PG. 09

ROAD #1378

#1115

325'

DUKE POWER CO R/W

ISLAND POINT RD

#1115

ISLAND POINT RD.

351
101.6AC±

352
9
160AC±

TEMPO ST.

WANEDEN LN.

TRIVIAL CT.

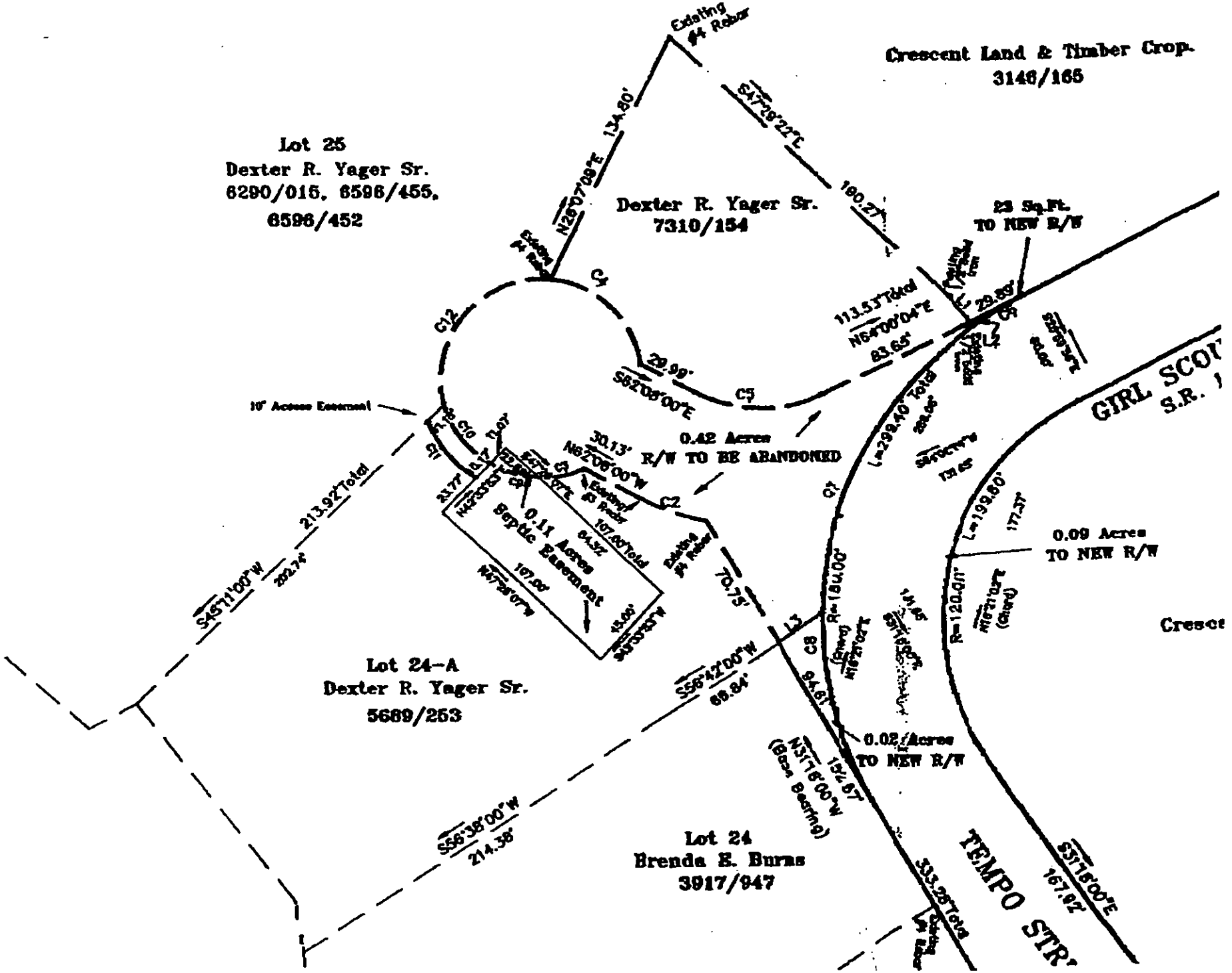
ALL LOTS IN SECTION 40

TAX LINE MAP	BOOK 199 PAGE 35
MECKLENBURG COUNTY, NORTH CAROLINA	
REVISED	SCALE 1" = 400'

FOR TAX PURPOSES ONLY

Exhibit A

Exhibit B


Crescent Land & Timber Crop.
3146/165
Lot 25
Dexter R. Yager Sr.
6290/015, 6596/455,
6596/452
Dexter R. Yager Sr.
7310/154
Existing #4 Rebar
N28°07'09"E 134.80'
S47°19'22"E 180.27'
23 Sq.Ft.
TO NEW R/W
113.53'Total
N64°00'04"E
83.65'
29.99'
S82°08'00"E
10' Access Easement
0.42 Acres
R/W TO BE ABANDONED
30.13'
N82°08'00"W
0.11 Acres
Septic Easement
107.60'Total
213.92'Total
S45°11'00"W
202.74'
70.75'
Lot 24-A
Dexter R. Yager Sr.
5689/253
S56°42'00"W
68.84'
S56°38'00"W
214.38'
Lot 24
Brenda E. Burns
3917/947
GIRL SCOU
S.R.
L=298.40'Total
L=199.80'
177.37'
0.09 Acres
TO NEW R/W
R=180.00'
R=120.00'
Cresce
94.61'
0.02 Acres
TO NEW R/W
N51°16'00"W
154.67'
(Base Bearing)
333.25'Total
S51°16'00"E
167.92'
TEMPO STR

LINE	DIRECTION	DISTANCE
L1	S42°30'57"E	17.69'
L2	S42°30'57"E	2.48'
L3	N54°42'00"E	27.48'

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	266.42'	37.96'	37.93'	S38°27'54"E
C2	130.99'	35.85'	35.74'	S30°58'29"E
C3	50.00'	23.67'	23.41'	S76°24'18"W
C4	50.00'	86.99'	82.09'	N47°15'07"W
C5	70.99'	66.74'	64.31'	S39°03'58"E
C6	180.00'	29.30'	29.27'	N58°20'15"E
C7	180.00'	189.34'	183.17'	S27°43'19"W
C8	180.00'	100.75'	99.44'	S15°15'54"E
C9	50.00'	25.52'	25.24'	N75°28'20"W
C10	50.00'	38.05'	37.14'	N37°03'07"W
C11	50.00'	38.12'	37.48'	N36°42'04"W
C12	50.02'	96.68'	81.73'	N39°34'58"E

2443A

CULP ELLIOTT MARSH & CARPENTER

"A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS"
ATTORNEYS AT LAW
(704) 372-6322

WILLIAM R. CULP, JR., P.A. *
RICHARD E. MARSH, JR., P.A. £
W. CURTIS ELLIOTT, JR. §
JOHN JOSEPH CARPENTER *
MARGARET K. LEINBACH *
SARAH S. HUTCHINS ♦
JONATHAN E. GOPMAN £

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· Licensed in D.C. Only
£ Licensed in N.C. and Florida Only
§ Licensed in N.C. and S.C. Only
♦ Licensed in N.C. and Maryland Only

DOUGLAS P. MUNSON
1958 - 1992

October 4, 1993

Environmental Health Division
700 North Tryon Street, Suite 211
Charlotte, North Carolina 28202

Attn: On Premises Waste Disposal and Water Supply

Re: Septic Tank Drain Field Easement on Mecklenburg Tax Parcel #199-352-02

The undersigned licensed North Carolina attorney hereby certifies that the enclosed Septic Tank Drain Field Easement (the "Easement") is recorded in the Book 7486 at Page 670 in the Mecklenburg County Public Registry, that all parties who would be required to execute or consent to the Easement in order for it to be a valid and effective grant of easement rights have executed or consented to the execution and recordation of the Easement and that there are no mortgages, deeds of trust, or other instruments of record affecting the status of title of the above-referenced parcel on which the Easement has been created, which if foreclosed or otherwise, would result in the extinguishment of said Septic Tank Drain Field Easement.

By: John J. Carpenter
(Print Name)

John J. Carpenter
(Signature)

Date: 10-4-93

2443A

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By: John J. Carpenter
(Print Name)

John J. Carpenter
(Signature)

Date: 10-4-93