

'82 MAY 20 AM 10 59

DRAFTED BY: Frank M. Bell, Jr.
MAIL TO: Frank M. Bell, Jr., P.O. Box 49, Winston-Salem, NC 27102

ALVA G. WISE
REGISTER OF DEEDS
DARE COUNTY, N.C.

NORTH CAROLINA)
DARE COUNTY)

D E E D

THIS CORPORATION DEED, made the 25th day of March, 1982, by RDC, INC., a North Carolina corporation (hereinafter called "Grantor") to SANDERLING PROPERTY OWNERS ASSOCIATION, INC. of Dare County, North Carolina (hereinafter called "Grantee");

W I T N E S S E T H:

That the Grantor, in accordance with Article Six, Section 2 of the Declaration of Covenants, Conditions and Restrictions, dated May 8, 1981, recorded in Book 310 at page 557 of the Dare County Registry (the "Declaration"), imposed by the Grantor on the property described in the Declaration and other property later made subject to the Declaration by the Grantor, does hereby transfer, grant and convey unto the Grantee, its successors and assigns, certain real property located in Dare County, North Carolina, and being more particularly described as follows:

(a) All that certain real property labeled "Common Properties", and being more specifically those areas designated (Open Space and Community Beach Access), as shown on a plat of Sanderling Phase 5-A, Lots 193-211, recorded in the Office of the Register of Deeds of Dare County, North Carolina, Plat Cabinet B, Slides 57 and 58, and any recorded revisions thereof, to which maps reference is hereby made for a more particular description; and

(b) All of those certain roads constituting a portion of Sanderling Phase 5-A (being Waxwing Court and Blue Heron Lane), as shown on the plat of Sanderling Phase 5-A mentioned hereinabove, excluding that portion of Blue Heron Lane lying within Sanderling Phase 4 and described in that certain deed from the Grantor to Sanderling Homes Association, Inc. ("SHA"), recorded in Book 287 at page 49 et seq of the Dare County Registry, reference to which is hereby made.

The above described property is conveyed (i) together with (a) the nonexclusive right of ingress, egress and regress over Blue Heron Lane and (b) the obligation to bear one-third (1/3) of the cost of maintaining, repairing and replacing that portion of Blue Heron Lane lying within Phase 4 (the Grantee shall make an annual contribution of the appropriate amount, computed on a linear foot basis, to SHA for credit to a reserve for the maintenance, repair and replacement of such portion of Blue Heron Lane), and (ii) subject to (a) easements and restrictive covenants of record or existing in law or equity, and (b) the terms, conditions and obligations contained in the Declaration, and (c) the terms and conditions of any other recorded amendment to the Declaration; and the above described property is further subject to ad valorem taxes for the current year which shall be prorated to date within thirty (30) days after receipt of a statement therefor.

TO HAVE AND TO HOLD the aforesaid real property, together with all privileges and appurtenances thereto belonging to the Grantee, its successors and assigns, to its only use and behoof forever, and the Grantor covenants to and with the Grantee and its successors and assigns, that the Grantor is seized of said premises in fee, and has the right to convey the same in fee simple and that the same are free from all encumbrances, and that the Grantor will warrant and defend the said title to the same against the claims of all persons whatsoever; subject, however, to the conditions and exceptions set forth hereinabove, and incorporated herein by reference.

IN TESTIMONY WHEREOF, RDC, INC. has caused these presents to be executed by its Vice President, attested by its Secretary and affixed its corporate seal, all pursuant to authority duly granted.

RDC, INC.

By: William S. Bell Jr.
Vice President

By: [Signature]
Secretary

STATE OF NORTH CAROLINA)
COUNTY OF FORSYTH)

This 17th day of May, 1982, personally came before me, Shirley W. Marshall, a notary public, H.B. Cash who being by me duly sworn, says that he/she knows the corporate seal of RDC, INC., and is acquainted with William E. Hollan Jr. who is the Vice President of said Corporation, and that he/she, the said H.B. Cash is the Secretary of the said Corporation, and saw the said Vice President sign the foregoing or annexed instrument, and saw the said corporate seal of said Corporation affixed to said instrument by said Vice President, and that he/she, the said H.B. Cash signed his/her name in attestation of the execution of said instrument in the presence of said Vice President of said Corporation.

Witness my hand and notarial seal or stamp, this 17th day of May, 1982

Shirley W. Marshall
Notary Public

My Commission Expires: SHIRLEY W. MARSHALL, Notary Public
Forsyth County, North Carolina
My Commission Expires May 28, 1983.

STATE OF NORTH CAROLINA - Dare County

The foregoing (or annexed) certificate _____ of Shirley W. Marshall a Notary Public & Forsyth Co. N.C. is ~~are~~ certified to be correct. This the 20th day of May, 1982.

STAMPS \$ _____

Probate and filing fee \$ _____ paid

Alva Wise, Register of Deeds

By Barbara D. Gray
Deputy Assistant Register of Deeds

RECORDED: May 26, 1982