

Lot 70 (said eastern line also being the western line of Lot 71 of Shore Acres Development No. One, as shown on that map recorded in Book 3 at Page 66 of the New Hanover County Registry).

This condition and restriction shall run with said Lot 70 and be binding on the Declarants, their heirs, successors and assigns and all parties having any right, title or interest in said Lot 70 or any part thereof.

This condition is created in order that the Declarants shall comply with the aforementioned order of the Board of Adjustment. Therefore, the Declarants expressly provide that this condition shall be enforceable by the Town of Wrightsville Beach (herein "Town") and that said Town shall have the right to seek injunctive relief or other appropriate legal remedy in the event of a violation of this covenant.

In order to further comply with the above-described order of the Board of Adjustment, the Declarants, in consideration of the sum of \$10.00 and other valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell and convey unto the Town, its successors and assigns, the right, privilege and perpetual right-of-way and easement over, through, under and upon the lands and premises hereinafter described for the purpose of enforcing the provisions of that order of the Board of Adjustment referred to hereinabove. Declarants hereby grant to the Town the right and authority to remove any building and other structure placed within said right-of-way in violation of the

provisions of said order of the Board of Adjustment, said premises being a certain parcel or tract of land located in the Town of Wrightsville Beach, North Carolina, and more particularly described as follows:

See attached Exhibit "A"

To have and to hold said right-of-way and easement to the Town, its successors and assigns forever. This right-of-way and easement hereby granted is appurtenant to and runs with the land now owned by the Declarants.

IN WITNESS WHEREOF, William Allen Cobb, Sr. and wife, Katherine Cobb have executed this document under their hands and seals, all on the day and year first above written.

William Allen Cobb Sr. (SEAL)

WILLIAM ALLEN COBB, SR.

Catherine R. Cobb (SEAL)

CATHERINE R. COBB

ADMITTED TO RECORD
19 DAY OF June 1997
AT 3:44 P.M.
MARY SUE OOTS
REGISTER OF DEEDS
NEW HANOVER COUNTY

STATE OF NORTH CAROLINA)

COUNTY OF NEW HANOVER)

I, a Notary Public of the County and State aforesaid, do hereby certify that WILLIAM ALLEN COBB, SR. and wife CATHERINE R. COBB personally appeared before me this date and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial, this the 10th day of June, 1997.

Kimberly H. Goye
Notary Public

My Commission Expires: 11-24-97



Exhibit "A"

BEGINNING at a point in the northern line of Cypress Circuit (South) that is located 60 feet southwest of the intersection of the western line of Jasmine Place and the northern line of Cypress Circuit (South), all as shown on that map of Shore Acres Development No.1 , a copy of which is recorded in Book 3 at Page 66, New Hanover County Registry, said beginning point being located in the northern line of Cypress Circuit (South) at the point of intersection of the western line of Lot 71 and the eastern line of Lot 70 as shown on that map of Shore Acres Development No. 1 recorded in Book 3 at Page 66, New Hanover County Registry. Running thence from said beginning point with the northern line of Cypress Circuit (South) South 55 degrees 55 minutes West 8.7 feet; thence parallel with said dividing line between Lots 71 and 70 North 34 degrees 05 minutes West 85 feet to a point in the northern line of said Lot 70; thence with the northern line of said Lot 70 North 55 degrees 55 minutes East 8.7 feet to a point in the eastern line of said Lot 70 (said eastern line being also the western line of said Lot 71); thence with the eastern line of said Lot 70 and western line of said Lot 71 South 34 degrees 05 minutes East 85 feet to the point of BEGINNING.

STATE OF NORTH CAROLINA

New Hanover County

The Foregoing/ Annexed Certificate(s) of

Kimberly H. GoyeNotary (Notaries) Public is/ are certified
to be correct.This the 19 day of June 1997

Mary Sue Gots, Register of Deeds

by Mae Deputy/Assistant