

Prepared by: Stephen R. Outten, Esq.
Bailey & Busby, PLLC – Wilmington Office
7110 Wrightsville Ave., Suite A-1
Wilmington, NC 28403

DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

THIS DEED OF DEDICATION, made and entered into this the ____ day of _____, 2021, by and between BILL CLARK HOMES OF WILMINGTON, LLC, a North Carolina Limited Liability Company, with an office and place of business in New Hanover County, and whose address is 127 Racine Drive, Suite 201, Wilmington, North Carolina 28403, party of the first part, hereinafter referred to as “Developer”, and BRUNSWICK COUNTY, a governmental entity created and existing under the laws of the State of North Carolina, whose address is P.O. Box 249, Bolivia, NC 28422, party of the second part, hereinafter referred to as “Grantee”,

WITNESSETH:

That whereas Developer is the owner and developer of a tract or parcel located in Brunswick County, North Carolina, known as The Retreat at Ocean Isle Beach, Phase 4B, Section 1 as described on a plat recorded in Map Cabinet 130 at pages 16 - 19, (hereinafter collectively “the Development”);

And whereas Developer has caused to be installed water distribution lines and/or sewer lines under and along the road rights-of-way hereinafter described and referenced;

And whereas Developer wishes to obtain water and/or sewer from Grantee for the property and to make water and sewer from Grantee's system available to individual owners.

And whereas Grantee has adopted through appropriate resolution stated policy regarding water distribution and sewer systems under the terms of which, among other things, in order to obtain water and sewer for said subdivision Developer must convey title to the water (and/or sewer) distribution system to Grantee through an instrument of dedication acceptable to Grantee;

NOW, THEREFORE, Developer, in consideration of Grantee accepting said water and sewer lines and making water and sewer available to said subdivision, has conveyed by these presents does hereby convey to Grantee, its lawful successors and assigns, the following described property:

ITEM ONE

All of the water distribution lines and sewer collection lines and equipment located under, along and within the property described as THE RETREAT AT OCEAN ISLE BEACH, PHASE 4B, SECTION 1, as the same appears on a plat thereof recorded in Map Cabinet 130 at pages 16 - 19 of the Brunswick County Registry and as shown on the Exhibit Map prepared by MAKIM & CREED Eng. dated 7/16/2021 attached hereto and marked "Exhibit A".

ITEM TWO

Non-exclusive easements over, along and upon the entire area of all streets, roads, parking areas and cul-de-sacs depicted on the plats and serving the areas referenced in Item One above, for purposes of entry into the Development for maintenance, repair and upkeep of the water distribution and sewer collection systems and for connecting the same to the Development lots developed or to be developed lying adjacent to said streets, roads, parking areas and cul-de-sacs. Reserving unto Developer, its successors and assigns, equal rights of easement and access over, in, along and upon said streets, roads, parking areas and cul-de-sacs for purposes of installing and maintaining such other utilities as may be required for the development of the Development, including but not limited to, electric, gas, telephone, cable, and sewer.

TO HAVE AND TO HOLD said water and sewer lines and equipment above described together with the privileges and appurtenances thereto belonging to Grantee forever, together with non-exclusive easements over along and upon the entire area of the streets and cul-de-sacs depicted on the maps and servicing the areas referenced above for purposes of entry into the subdivision for maintenance, repair and upkeep of the water (and/or sewer) distribution systems

and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs reserving unto Developer, its successors and assigns, equal rights of easement and easement over, in, along and upon said streets and cul-de-sacs for purposes of installing and maintaining such utilities as may be required for the development of said subdivision, including, but not limited to, electric, gas, telephone, cable and sewer.

And Developer does hereby covenant that it is seized of said water and sewer lines and equipment described above in fee simple and has the right to convey the same in fee simple, that the same are free and clear of encumbrances, and that it will warrant and defend the title to the same against all persons whomsoever.

Developer warrants to Grantee that the system herein conveyed is of good quality and free from faults and defects, and conforms to as-built drawings. Developer warrants said system for a period of one (1) year from the date of recording this Deed of Dedication in the office of the Brunswick County Register of Deeds.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed, the day and year first above written.

Bill Clark Homes of Wilmington, LLC

By:  (SEAL)
Edward H. Clark, Manager

By:  (SEAL)
Cheryl Blanton, Manager

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Tracy Sholders, a Notary Public of **Pender County, North Carolina**, do hereby certify that **Edward H. Clark** and **Cheryl Blanton** personally appeared before me this day and acknowledged that they are managers of **Bill Clark Homes of Wilmington, LLC**, a North Carolina limited liability company, and being authorized to do so, as Managers of the limited liability company, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

Tracy Sholders
Notary Public

Date: July 23, 2021

My Commission Expires: August 19, 2025



ACCEPTANCE OF DEED

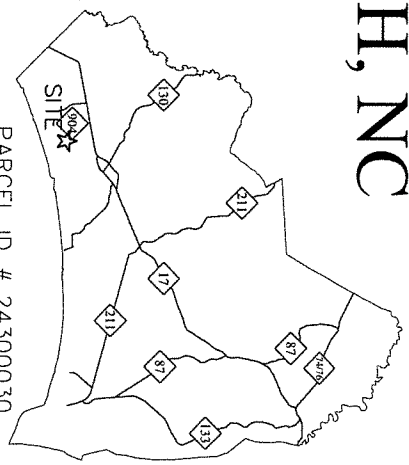
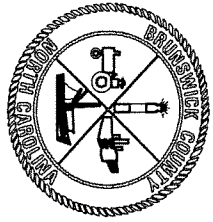
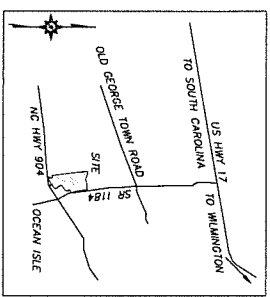
This Deed of Dedication and accompanying Affidavit for Bill Clark Homes of Wilmington, LLC, was accepted by the Brunswick County Board of Commissioners on the _____ day of _____, 2021.

Brunswick County Board of Commissioners

Randy Thompson, Chairman

Daralyn Spivey
Clerk to the Board

TOWN OF OCEAN ISLE BEACH, NC



PARCEL ID # 24300030

THE RETREAT AT OCEAN ISLE BEACH SECTION 1 - PHASE 4B

RECORD DRAWINGS

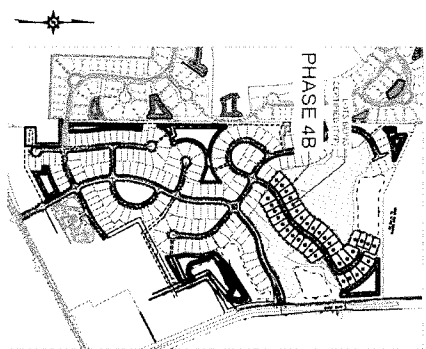
Sheet List Table		
SHEET NUMBER	SHEET TITLE	SHEET DESCRIPTION
1	G-001	COVER
2	CU-702	LANDOVER DRIVE PLAN & PROFILE STA. 10+00-24+62

SECTION 1, PHASE 4B INCLUDES:
LOTS 140-171, AND LOTS 194-197
36 TOTAL LOTS

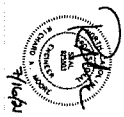
TYPE OF WORK:

SITE DEVELOPMENT WORK FOR RESIDENTIAL DEVELOPMENT. THE SITE IS LOCATED ON AN APPROXIMATELY 97.76 ACRE PARCEL AS SHOWN ON THE SURVEY. THE SITE WILL BE IMPROVED WITH WATER, SEWER AND STORMWATER UTILITIES AND GRADED TO APPROXIMATE FINISHED GRADE ELEVATIONS AS SHOWN IN THESE DRAWINGS.

NOTE: THE HORIZONTAL DATUM FOR THIS PROJECT IS NC GRID NAD 83 AND VERTICAL DATUM FOR THIS PROJECT IS NAVD88.



SITE LAYOUT
(1" = 500')



PROJECT NAME:
THE RETREAT (SECTION 1 - PHASE 4B)
LOCATION: OCEAN ISLE, NC
OWNER: BILL CLARK HOMES
DESIGNER: McKIM & CREED, INC.

DATE:
07/16/2021
SUBMITTAL:
RECORD DRAWINGS

NUMBER	DATE	BY	REVISION DESCRIPTION
APPROVAL STATUS	DATE	BY	DEPARTMENT
YES	X NO	NA	PLANNING
YES	X NO	NA	ENGINEERING
YES	X NO	NA	PUBLIC UTILITIES



OWNER/DEVELOPER
BILL CLARK HOMES
200 EAST ARLINGTON AVE
GREENVILLE, NC 27858

SURVEYOR
DAVID L. JONES, JR., PLS
MCKIM & CREED, INC.
243 N. FRONT ST.
WILMINGTON, NC 28401
910-343-1048

ENGINEER
MCKIM & CREED, INC.
243 N. FRONT ST.
WILMINGTON, NC 28401
910-343-1048
RAMOORE@MCKIMCREED.COM

"ENGINEER'S CERTIFICATION OF COMPLIANCE WITH BRUNSWICK COUNTY SPECIFICATIONS AND DETAILS"
I hereby certify that the plans, details, and associated project specifications comply with the latest version, as of this date, of Brunswick County's Standard Specifications and Standard Details per standard engineering practice. Furthermore, I confirm my understanding that reviews and approvals by Brunswick County personnel do not imply that Brunswick County personnel have reviewed and are in agreement with every portion of the plans and specifications that I have submitted. I understand that Brunswick County reviews and approvals are meant to ensure that the overall plans are in general compliance with County objectives. I understand that it is my full responsibility to ensure that plans and specifications are in full compliance with applicable County, State, Federal, and other municipal requirements. Additionally, I understand that the County will not assume operation, maintenance, or ownership of constructed facilities that do not meet County requirements and the County may refuse to issue permits at facilities that the County deems are non-compliant with County Specifications. I also confirm my understanding that County Inspections are for the sole use of the County and I certify that I will not use, or direct others to use, County inspections for State compliance purposes or any other purpose."

PROJECT NO.
#3253-0009
SHEET NO.
G-001

ELECTRICAL

TECH. RAS
DLS MMS
CIR. RAS

[illegible]

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF BRUNSWICK

BILL CLARK HOMES OF WILMINGTON, LLC, a North Carolina Limited Liability Company, with an office and place of business in New Hanover County, North Carolina, hereinafter referred to as Affiant, by and through its hereinafter named managers, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Shallotte Township, Brunswick County, North Carolina, known as THE RETREAT AT OCEAN ISLE BEACH, PHASE 4B, SECTION 1, as more particularly described in Deed of Dedication in favor of Brunswick County of even date herewith.

2. That it has caused to be installed water distribution lines and sewer lines under and along the road right-of-ways property hereinafter described and referenced:

BEING all of THE RETREAT AT OCEAN ISLE BEACH, PHASE 4B, SECTION 1, as the same appears on a plat thereof recorded in Map Cabinet 130 at pages 16 -19 of the Brunswick County Registry.

3. All the work which has been performed in the construction and installation of said water distribution lines and sewer lines described in paragraph 2, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or the water lines and sewer lines installed therein which would in any way jeopardize title to the subdivision or the water distribution lines and sewer lines located therein.

This the 23 day of July, 2021.

Bill Clark Homes of Wilmington, LLC

By: [Signature] (SEAL)
Edward H. Clark, Manager

By: [Signature] (SEAL)
Cheryl Blanton, Manager

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Tracy Sholders, a Notary Public of **Pender County, North Carolina**, do hereby certify that **Edward H. Clark** and **Cheryl Blanton** personally appeared before me this day and acknowledged that they are managers of **Bill Clark Homes of Wilmington, LLC**, a North Carolina limited liability company, and being authorized to do so, as Managers of the limited liability company, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

[Signature] Date: July 23, 2021
Notary Public

My Commission Expires: August 19, 2025

