

Ashe County

Planning Department

Staff Report

3/26/2019

RE: Helton Easement

Summary:

The proposed easement would formalize access to the properties behind the Helton Community Center and ambulance building.

Attachments:

1. Map
2. Easement



Ashe County
150 Government Cir, Suite 2400
Jefferson, NC 28640

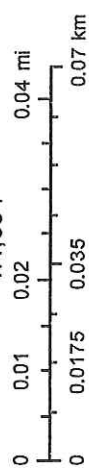


Parcel Number
Property Address
Neighborhood
Owner

06207062
240 OLD HELTON SCHOOL
HELTON TOWNSHIP
ASHE COUNTY OF
150 GOVERNMENT CIR, STE 2500
150 GOVERNMENT CIR, STE 2500
JEFFERSON, NC 28640

March 6, 2019

1:1,351



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

NORTH CAROLINA
ASHE COUNTY

MUTUAL DEED OF EASEMENT

This Mutual Easement of Right of Way entered into this ____ day of March, 2019, by and between COUNTY OF ASHE owner of approximately 1 acre of property, described in deed recorded in Bk. O-5, Pg. 446, Ashe County Registry; MARGARET E. WILCOX, Unmarried Life Estate Interest, NANCY WHITE BLEVINS and husband, WILLIAM DEAN BLEVINS, MICHELLE SOLE, Unmarried, RICKY ELLISON and wife, KIMBERLY STEVENS ELLISON, their heirs and assigns, owners of a 0.28 acre tract of land located off NCSR 1669 (Old Helton School Rd.), more particularly described in deed recorded in Book 364, Page 1508, Ashe County Registry; WEST MILL CK. FARMS, LLC its heirs and assigns, owners of a 2.805 acre tract of land located off Old Helton School Rd., being a portion of the property described in deed recorded in Book 490, Page 2239 and shown on plat recorded in Plat Book 9, Page 281 Ashe County Registry and RUSSELL G. ETSES and wife, ANN G. ESTES, their heirs and assigns, owners of three tracts of property as described in deed recorded in Book 496, Page 2298, Ashe County Registry;

WITNESSETH:

That the parties hereto are the owners of adjoining land located off of Old Helton School Road. Their respective properties are serviced by a certain roadway leading from Old Helton School Road to all of the properties and has been in existence and used for over 60 years. Said roadway described as follows:

BEGINNING at a point at the intersection of Hwy. 194 and SR 1669 (Old Helton School Road) and following an existing old roadway in a Southeasterly direction approximately 4,000 feet to the 69.71 acre tract owned by Russell G. Estes being a width of 15 feet.

This roadway crosses portions of each parties' property and is used by each as a means of access. The parties hereby agree to a mutual exchange of easements for said roadway. This mutual easement to follow said roadway at its current width and shall be remain open at all times and in all conditions.

All parties hereto agree for themselves, their heirs and assigns that they shall be responsible for any portion of the roadway that they may damage or cause to be damaged.

To have and to hold the rights and easement hereby granted to each other, their heirs and assigns; it being agreed that the rights and easement hereby granted are appurtenant to and run with the parcels of land bordering thereon and above referred to.

In Testimony Whereof, said parties have hereunto set their hands and seals the day and year first above written.

COUNTY OF ASHE

_____(SEAL)
BY:

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that
_____, _____ of the County of Ashe
personally appeared before me this day and acknowledged the execution of the foregoing
instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

My Commission Expires: _____

Notary Public

_____(SEAL)
MARGARET E. WILCOX

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that MARGARET E. WILCOX personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

My Commission Expires: _____
Notary Public

_____(SEAL)
NANCY WHITE BLEVINS

_____(SEAL)
WILLIAM DEAN BLEVINS

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that NANCY WHITE BLEVINS and WILLIAM DEAN BLEVINS personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

My Commission Expires: _____
Notary Public

_____(SEAL)
MICHELLE SOLE

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that MICHELLE SOLE personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

My Commission Expires: _____
Notary Public

_____(SEAL)
RICKY ELLISON

_____(SEAL)
KIMBERLY STEVENS ELLISON

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that RICKY ELLISON personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

Notary Public
My Commission Expires: _____

WEST MILL CK. FARMS, LLC

_____(SEAL)
By: Daniel W. Dollar, Member/Manager

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that DANIEL W. DOLLAR, Member/Manager of West Mill Ck. Farms, LLC a North Carolina Limited Liability Company personally appeared before me this day and acknowledged the execution of the foregoing instrument on its behalf. Witness my hand and official stamp or seal, this _____ day of March, 2019.

Notary Public
My Commission Expires: _____

_____(SEAL)
RUSSELL G. ESTES

_____(SEAL)
ANN G. ESTES

NORTH CAROLINA
ASHE COUNTY

I, a Notary Public of the County and State aforesaid, certify that RUSSELL G. ESTES and ANN G. ESTES personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of March, 2019.

My Commission Expires: _____

Notary Public