

WAKE COUNTY, NC 68  
TAMMY L. BRUNNER  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
02/08/2022 11:46:24

BOOK:018911 PAGE:00103 - 00106

EXCISE TAX: \$0.00  
Mail after recording to:  
Town of Rolesville  
502 Southtown Circle  
Rolesville, NC 27571

Prepared by: Robert J. Mermelstein

BRIEF DESCRIPTION FOR INDEX: Easement for Greenway  
Portion of REIDs: 0467678, 0366698

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**DEED OF GREENWAY EASEMENT**

**THIS DEED OF EASEMENT**, made this 26 day of January, 2022, by **CARLTON GROUP OF NORTH CAROLINA, LLC**, a North Carolina Limited Liability Company, with a mailing address at 5856 Faringdon Place, Raleigh, NC 27609, ("**Grantor**"), to the **TOWN OF ROLESVILLE**, a municipal corporation of the State of North Carolina, with a mailing address at 502 Southtown Circle, Rolesville, NC 27571, ("**Town**"). The designation Grantor and Town 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.

**BACKGROUND**

- A. Creation of the Carlton Point Subdivision ("**Carlton Pointe**") required certain approvals from the Town. Those approvals were granted with the condition, among others, that the Town be granted a greenway easement across portions of the subdivision.
- B. Carlton Pointe was developed in accordance with the Town's approvals, which development included the creation of a greenway trail. Grantor and Town acknowledge that the easement described herein is being conveyed as a development requirement and no consideration was given or received. Under N.C.G.S. #105-228.29, no excise tax is due in association with a transfer where no consideration in property or money is due or paid by grantee to the grantor.

- C. The greenway trail exists on lands owned by the Grantor lying in Wake County, North Carolina, which lands are described in deed recorded in Deed Book 11427, Page 882, Wake County Registry, and which easement is described as follows:

BEING an easement, twenty (20) feet in width, identified as: "New Town of Rolesville Greenway Easement" and "New Town of Rolesville 20' Greenway Easement", as shown on plat recorded in Book of Maps 2021, Pages 1053 through 1056, Wake County Registry".

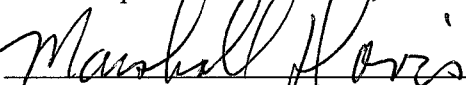
- D. Carlton Pointe was subjected to the Declaration of Covenants, Restrictions and Easements for Carlton Pointe Homeowners' Association, which is recorded in the Wake County Register of Deeds at Book 12904, Page 1129 (as amended from time to time the ("Declaration").
- E. This Deed of Easement is executed for the purpose of confirming compliance with applicable approvals and providing additional detail regarding the greenway contemplated in the Declaration.

NOW THEREFORE Grantor does hereby bargain, sell, and convey unto the Town the right, privilege and easement, now and hereafter, to inspect, repair, maintain, replace and operate pedestrian trails, paths and walkways, together with all the appurtenances necessary or convenient thereto, in, upon, and across the Easement for the benefit of the public, to be used and maintained in accordance with all ordinances, regulations, and policies of the Town.

TO HAVE AND TO HOLD the aforesaid easement and all privileges and appurtenances thereunto belonging to the Town, its successors and assigns forever and Grantor does covenant that it is seized of the Grantor Property in fee and has the right to convey the easement granted herein, that the Grantor Property is free from encumbrances (other than those instruments of record), that Grantor has done nothing to impair such title to the Grantor Property as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under and through Grantor. Grantor agrees that it, Grantor, shall timely execute any maps or other such documents as may be requested by Town for the purpose of confirming the grant contained herein or the location of the Easement.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal as of the date indicated in the acknowledgement blocks below to be effective as of the day and year first above written.

Carlton Group of North Carolina, LLC

By:   
Marshall Davis, Member/Manager

STATE OF NEW YORK  
COUNTY OF ROCKLAND

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Marshall Davis, Member/Manager of Carlton Group of North Carolina, LLC, a North Carolina Limited Liability Company, Grantor, personally appeared before me this day and acknowledged that he is a Member/Manager of Carlton Group of North Carolina, LLC, and that by authority duly given and as the act of the Limited Liability Company, the foregoing instrument was signed in its name by him as its Member/Manager.

Witness my hand and official seal this 26 day of January, 2022

Morton N. Silberberg  
Morton N. Silberberg, Notary Public  
MORTON N. SILBERBERG  
Notary Public, State of N.Y.  
No. 4799869  
Qualified in Rockland County  
Commission Expires Aug. 31, 2025

My Commission Expires: August 31, 2025



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**Please retain yellow trailer page**

It is part of the recorded document and must be submitted with the original for re-recording.

**Tammy L. Brunner  
Register of Deeds**

Wake County Justice Center  
300 South Salisbury Street, Suite 1700  
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

**This Customer Group**

\_\_\_\_\_ # of Excessive Entities

\_\_\_\_\_ # of Time Stamps Needed

**This Document**

4 # of Pages *f*