

[Space above this line for recording data.]

Please Record and Return To:

J. Tom Minor, IV
The Minor Firm
P.O. Box 2586
Dalton, GA 30722-2586

**CITY OF DALTON
CEMETERY EASEMENT**

For and inconsideration of the sum of Ten Dollars and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the **City of Dalton, Georgia** (“City of Dalton”), hereby grants and conveys unto **Internal Management, Inc.**, and its successors and assigns (“Grantee”), a perpetual, exclusive easement for the right to build a mausoleum and the right of interment therein in over, through and across the following lands in the West Hill Cemetery in the City of Dalton, Georgia, the same being 1.03 acres, to wit (the “Premises”):

All that tract or parcel of land lying and being in Land Lot No. 236 in the 12th District and 3rd Section of Whitfield County, Georgia, and being more particularly described according to a plat of survey entitled Lewell Street, by Michael Paul Bunch, Georgia Registered Land Surveyor No. 3350, September 13, 2019, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin at the southeast intersection of the east right of way line of Lewell Street (50’ R/W) and the southeast right of way of General Thomas Drive, said point being located south 08 degrees 10 minutes 59 seconds east a distance of 212.18 feet from the intersection of the centerlines of Lewell Street and West Cuyler Street; thence north 66 degrees 06 minutes 53 seconds east, along the southeast right of way line of General Thomas Drive, a distance of 78.12 feet; north 67 degrees 58 minutes 01 seconds east, along the southeast right of way line of General Thomas Drive, a distance of 75.34 feet to an iron pin; thence south 01 degrees 30 minutes 16 seconds east a distance of 340.50 feet to an iron pin; thence south 88 degrees 29 minutes 44 seconds west a distance of 144.89 feet to an iron pin; thence north 00 degrees 49 minutes 42 seconds west, along the east right of way line of Lewell Street, a distance of 177.79 feet; thence north 01 degrees 30 minutes 16 seconds west, along the east right of way line of Lewell Street, a distance of 106.56 feet to an iron pin, which is the POINT OF BEGINNING.

To have and to hold the same, for Grantee and his heirs and permitted assigns, forever, for the purpose of building a mausoleum on said property and for the right to interment therein on the express conditions that: (a) the Premises shall be subject to the current rules, conditions and restrictions imposed by the City of Dalton on West Hill Cemetery; provided however, the City of Dalton shall have no rights of ingress or egress over or through the Premises except as provided in the Cemetery Easement Maintenance Agreement entered into between the parties; (b) Grantee and his heirs, successors and assigns shall maintain the Premises in accordance with the **City of Dalton Cemetery Maintenance Standards** for West Hill Cemetery, and as may be amended, in perpetuity; and (c) the City of Dalton makes no warranties with respect to the title to or the condition of the Premises, including but not limited to, the presence of rock or other conditions in the subsurface, the easement is granted "AS IS".

IN WITNESS WHEREOF, the City of Dalton, Georgia has caused this easement to be executed this _____ day of _____, 2020.

CITY OF DALTON, GEORGIA

By: _____
Mayor

Attest: _____
Clerk

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public

[Seal]