

NORTH CAROLINA
ONSLow COUNTY

DECLARATION OF ABANDONMENT OF EASEMENT

THIS DECLARATION OF ABANDONMENT OF EASEMENT is made and entered into this 6 day of may, 2022 by and between Daniel Sooy and Be Still at North Topsail Beach, LLC, a North Carolina Limited Liability Company.

WITNESSETH:

WHEREAS, Daniel Sooy is the owner of the Real Property located at 1090 New River Inlet Road, North Topsail Beach, North Carolina, 28460, which is more particularly described in that Commissioner’s Deed recorded in Book 5466, Page 31, Onslow County Registry (hereinafter referred to as the “Sooy Lot”); and

WHEREAS, Be Still at North Topsail Beach, LLC is the owner of the real property located at 1074 New River Inlet Road, North Topsail Beach, North Carolina 28460, which is more particularly described in that General Warranty Deed recorded in Book 4097, Page 706, Onslow County Registry (hereinafter referred to as the “Be Still Lot”); and

WHEREAS, the Sooy Lot is burdened by an easement 40 feet in width and shown on that Plat Map recorded in Book 28, Page 85, Onslow County Registry as “40’ Access Easement” (hereinafter referred to as the “Easement”) and the Be Still Lot is benefited by the Easement; and

WHEREAS, Daniel Sooy has requested and Be Still at North Topsail Beach, LLC has agreed to abandon the Easement and relinquish all its rights therein with regard to its effect on the Sooy Lot;

NOW THEREFORE, the Parties hereto, for valuable consideration the sufficiency and receipt of which is hereby acknowledged, agree that any rights in the Easement, including but not limited to rights of access, are hereby abandoned, relinquished, and terminated, that the Easement shall be of no further force or effect, and that to the extent the undersigned may have

ATTACHMENT 11

submitted electronically by "Mewborn & DeSelms, Attorneys at Law" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Onslow County Register of Deeds.

any rights in the Easement, the same are hereby conveyed, assigned, and quitclaimed to Daniel Sooy. This abandonment is only meant to relinquish and abandon rights in the Easement upon the Sooy Lot, and the Parties does not in any way relinquish or abandon rights in the Easement as it may affect any other property.

IN WITNESS WHEREOF, the parties have caused the foregoing instrument to be executed on the date and year first indicated above.

Michael Fleming (SEAL)
Michael Francis Fleming,
General Manager for Be Still at North Topsail Beach, LLC

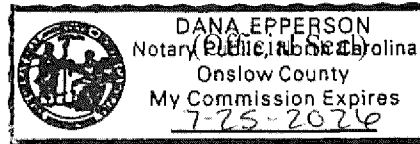
Daniel Sooy (SEAL)
Daniel Sooy

State of NC
County of Onslow

I, Dana Epperson, a Notary Public of the State and County aforesaid, do hereby certify that Michael Francis Fleming personally came before me this day and acknowledged the execution of the foregoing instrument in the capacity stated therein.

Witness my hand and official seal this 04th day of May, 2021. ²⁰²²

Dana Epperson,
Notary Public



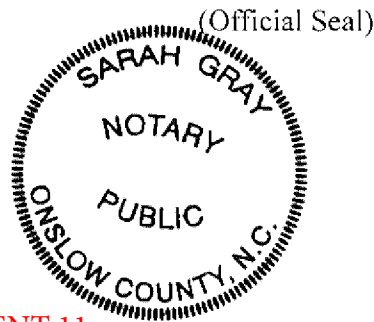
My Commission Expires: 7-25-2024

State of NC
County of Onslow

I, Sarah Gray, a Notary Public of the State and County aforesaid, do hereby certify that Daniel Sooy personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal this 15 day of November, 2021. ²⁰²² *fg*

Sarah Gray,
Notary Public



My Commission Expires: 11/03/2024