

BK 5873 PG 486 - 487

NORTH CAROLINA
ONSLow COUNTY

DECLARATION OF ABANDONMENT OF EASEMENT

THIS DECLARATION OF ABANDONMENT OF EASEMENT is made and entered into this 9th day of May, 2022, by and between Daniel Sooy, Party of the First Part and Clifford W. Cuniff, Unmarried, Party of the Second Part.

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, Clifford W. Cuniff is the owner of the real property located at 1070 New River Inlet Road, North Topsail Beach, North Carolina 28460, which is more particularly described in that General Warranty Deed recorded in Book 5545, Page 255, Onslow County Registry (hereinafter referred to as the "Cuniff 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 Cuniff Lot is benefited by the Easement; and

WHEREAS, Daniel Sooy has requested and Clifford W. Cuniff has agreed to abandon the Easement and relinquish all his 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 any rights in the Easement, the same are hereby conveyed, assigned, and quitclaimed to Daniel

ATTACHMENT 9

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.

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.

Clifford W. Cuniff (SEAL)
Clifford W. Cuniff

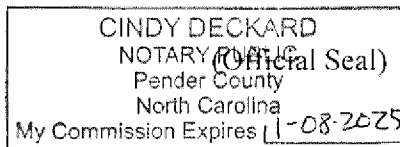
Daniel Sooy (SEAL)
Daniel Sooy

State of North Carolina
County of Pender

I, Cindy Deckard, a Notary Public of the State and County aforesaid, do hereby certify that Clifford W. Cuniff personally came before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal this 9th day of May, 2022

Cindy Deckard
Notary Public



My Commission Expires: 11-08-2025

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, 2022 SG

Sarah Gray
Notary Public

(Official Seal)

My Commission Expires: 11/03/2026

