

Prepared By and Return To:

STATE OF NORTH CAROLINA

ENCROACHMENT AGREEMENT

COUNTY OF _____

This Encroachment Agreement (this "Agreement"), made this ____ day of ____, ____, granted by _____ (Hereinafter "Grantors") and _____ (Hereinafter "Grantees"), their respective successors and or assigns.

WITNESSETH:

WHEREAS, the Grantors are the owners of the property described in the deed recorded with the _____ County Register of Deeds in Book ____ at Page ____ (the "Grantor Property")

WHEREAS, the Grantee is the owner of the property described in the deed recorded with the _____ County Register of Deeds in Book ____ at Page ____ (the "Grantee Property")

WHEREAS, a portion of the _____ (collectively, the "Encroachments") to be part of the Grantee Property encroach onto the Grantor Property. Said Encroachments are shown on the survey attached hereto as Exhibit I (the "Survey").

NOW, THEREFORE, for and in consideration of the sum of one dollar (\$1.00) paid to the Grantor, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Grantor does hereby allow the Encroachments to remain on the Grantor Property pursuant to the following terms and conditions:

1. The Grantor approves the existing Encroachments shown on the Survey (the “Permitted Encroachments”) and shall allow the Permitted Encroachments to remain within the Grantor Property;
2. The Grantor approves and shall allow the owner of the Grantee Property access over the Grantor Property for the purpose of reaching the Encroachment as shown on the Survey; and
3. This agreement shall be binding upon the Grantor, t he Grantee and their respective successors and assigns and shall run with the land as to both the Grantor Property and the Grantee Property.

_____ (SEAL)
Insert Typed Name

STATE OF NORTH CAROLINA

COUNTY OF _____

I, the undersigned, certify that the following persons personally appeared before me this day, showing satisfactory evidence of identity, and acknowledged the due execution and authority to execute the foregoing instrument in the capacity indicated above: **Insert Typed Name**

Date: _____

My Commission Expires: _____

Signature of Notary: _____

Printed Name of Notary: _____

_____ (SEAL)
Insert Typed Name

STATE OF NORTH CAROLINA

COUNTY OF _____

I, the undersigned, certify that the following persons personally appeared before me this day, showing satisfactory evidence of identity, and acknowledged the due execution and authority to execute the foregoing instrument in the capacity indicated above: **Insert Typed Name**

Date: _____

My Commission Expires: _____

Signature of Notary: _____ Printed Name of Notary: _____