Instructions for Deed of Dedication and Affidavit (Lien Waiver)

Please note that the attached documents are samples.

1. There must be a 3 inch margin on the first page of each document. If there is not a 3 inch margin on the first page, there is an additional $25.00 fee for recording each document that is not in compliance.

2. The preparers name must be on the front page of the Deed of Dedication.

3. Recording fees for **each** document are as follows:

   $26.00 for the first 15 pages
   $4.00 for each additional page beyond 15 pages

   These are considered 2 separate documents therefore the average Deed of Dedication and Affidavit will cost $52 to record.

(MUST HAVE 3 INCH MARGIN AT THE TOP OF THE FIRST PAGE)

Prepared by: _____
(Note: Name of preparer must be on first page of this document.)

DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

THIS DEED OF DEDICATION, made and entered into this the _____ day of _____, 20 , by and between (Name of Developer), a North Carolina (Corporation or LLC), with an office and place of business in Brunswick County, North Carolina, party of the first part, hereinafter referred to as "Developer", and BRUNSWICK COUNTY, a governmental entity created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

W I T N E S S E T H :

That whereas Developer is the owner and developer of a tract or parcel located in Township, Brunswick County, North Carolina, known as ;

And whereas Developer has caused to be installed water distribution lines [and/or sewer lines] under and along the road rights-of-way hereinafter described and referenced;

And whereas Developer wishes to obtain water [and/or sewer] from Grantee for the property and to make water [and/or sewer] from Grantee's system available to individual owners.

And whereas Grantee has adopted through appropriate resolution stated policy regarding water distribution [and/or sewer] systems under the terms of which, among other things, in order to obtain water [and/or sewer] for said subdivision Developer must

SAMPLE

convey title to the water [and/or sewer] distribution system to Grantee through an instrument of dedication acceptable to Grantee;

NOW, THEREFORE, Developer, in consideration of Grantee accepting said water [and/or sewer] lines and making water [and/or sewer] available to said subdivision, has conveyed by these presents does hereby convey to Grantee, its lawful successors and assigns, the following described property:

[Description of Property]

TO HAVE AND TO HOLD said water [and/or sewer] lines and equipment above described together with the privileges and appurtenances thereto belonging to Grantee forever.

Non-exclusive easements over, along and upon the entire area of the streets and cul-de-sacs depicted on the maps and serving the areas referenced above for purposes of entry into the subdivision for maintenance, repair and upkeep of the water [and/or sewer] distribution systems and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs reserving unto Developers, its successor and assigns, equal rights of easement and easement over, in, along and upon said streets and cul-de-sacs for purposes of installing and maintaining such utilities as may be required for the development of said subdivision, including, but not limited to, electric, gas, telephone, cable and sewer.

And Developer does hereby covenant that it is seized of said water [and/or sewer] lines and equipment described above in fee simple and has the right to convey the same in fee simple, that the same are free and clear of encumbrances, and that it will warrant and defend the title to the same against all persons whomsoever.

Developer warrants to Grantee that the system herein conveyed is of good quality and free from faults and defects, and conforms to as-built drawings. Developer warrants said system for a period of one (1) year from the date of recording this Deed of Dedication in the office of the Brunswick County Register of Deeds.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed, the day and year first above written.

SAMPLE

_____(Name of Developer)_____

By: _____
(Name and Title of Officer signing)

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

I, a Notary Public of the County and State aforesaid, do hereby certify that _____ personally came before me this day, and (I have personal knowledge of the identity of the principal) OR (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a_____) OR (a credible witness has sworn to the identity of the principal(s)); and he/she acknowledged that he/she is (Title of officer, ie: President, Vice President, Member, Manager) of (Name of Developer), a North Carolina Corporation or LLC, and that he/she, as (Title of officer), being authorized to do so, executed the foregoing on behalf of the (Corporation or LLC).

Witness my hand and official seal, this the _____ day of _____, 20____.

_____

Signature of Notary Public

(NOTARY SEAL) _____

Printed or Typed Name of Notary Public

My Commission Expires:

ACCEPTANCE OF DEED

_____This Deed of Dedication and accompanying Affidavit for (Name of Developer) was accepted by the Brunswick County Board of Commissioners on the_____day of , 20___.

Brunswick County Board of Commissioners

_____
Scott Phillips, Chairman

_____
Marjorie Stephenson, CMC
Clerk to the Board

SAMPLE

(MUST HAVE 3 INCH MARGIN AT THE TOP OF THE FIRST PAGE)

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK AFFIDAVIT

(Name of Developer), a North Carolina (corporation or LLC), with an office and place of business in _____ County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in _____ Township, Brunswick County, North Carolina, known as _____ Subdivision, containing lots numbered ____ thru ____, as more particularly described in a Deed of Dedication in favor of Brunswick County of even date herewith.

2. That it has caused to be installed water distribution lines [and/or sewer lines] under and along the road right-of ways property hereinafter described and referenced:

[Description of property]

3. All the work which has been performed in the construction and installation of said water distribution lines [and/or sewer lines] described in paragraph 2, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or the water lines [and/or sewer lines] installed therein which would in any way jeopardize title to the subdivision or the water distribution lines [and/or sewer lines] located therein.

SAMPLE

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly executed by its authorized officer(s), this ____ day of _____, 20____.

(NAME OF DEVELOPER)

By:_____
(Name and Title of Officer Signing)

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

Signed and sworn to (or affirmed) before me this day by _____.
(Name of Principal)

Date:_____

_____
Signature of Notary Public

(NOTARY SEAL)

_____
Printed or Typed Name of Notary Public

My Commission Expires:

SAMPLE