

prepared by Ladd & Associates  
David G. Metcalf, P.E.  
STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

DEDICATION OF WATER EASEMENT  
(Sunset Hills Water Association-Six)

This Dedication of Water Easement made this 16<sup>th</sup> day of April, <sup>JHM</sup> <sup>ff.c.</sup>  
1991, by and between Rainbow Management Services, Inc., a North Carolina <sup>Florida</sup> <sup>LLC</sup>  
Corporation with its principal place of business in Buncombe County, North  
Carolina and Mark Alan Cromer and wife, Crystal Darlene Cromer, Grantor, and  
all Present and Future Owners of Lots 8, 9 and 10 as described on that  
certain plat or map of Sunset Hills-Phase I recorded in Plat Book 54, Page  
122, Buncombe County Registry, Grantee and Lots 15, 16, 17, 18 and 19 as  
described on that certain plat or map of Sunset Hills-Phase III recorded in  
Plat Book 54, Page 124, Buncombe County Registry, Grantee. The designations  
Grantor and Grantee as used herein shall include said parties, their heirs,  
successors and assigns, and shall include singular, plural, masculine,  
feminine or neuter as required by context.

W I T N E S S E T H:

In consideration of the premises and for the advantage which Rainbow  
Management Services, Inc. will receive from the sale of such land, and which  
Mark Alan Cromer and wife, Crystal Darlene Cromer, Grantor, will receive from  
having others share in the cost of operation and maintenance of a well and  
water system for itself, its heirs, assigns and successors in title has and  
by these presents does hereby grant, bargain, sell and convey unto the  
Grantee and his heirs and assigns a perpetual appurtenant easement to obtain  
and use water, including installation of water lines and valves, for  
residential purposes jointly with all others of Grantee, to and from that  
certain well located on or near the northeastern corner of Lot 28 of Sunset  
Hills Phase III as shown on plat recorded in Plat Book 54, Page 124,  
including the right to go enter, over, onto and across the tract hereinafter  
described for purposes of maintaining, repairing, upgrading and replacing, in  
its approximate current location all pumping and tank equipment associated  
with such well, with said tract being described as follows:

BEGINNING at a point, the northern common corners of Lots 21 and 28 as shown  
on a plat of Sunset Hills Phase III recorded in Plat 54, Page 124 and  
proceeding thence with said common line South  $27^{\circ} 29' 01''$  East 50.14 feet to  
a point; thence South  $66^{\circ} 37' 30''$  West to the western margin of Lot 28;  
thence with the common boundaries of Lots 28 and 29 North  $19^{\circ} 53' 43''$  West to  
the northwestern corner of Lot 28; thence with the northern margin of Lot 28  
to the point and place of BEGINNING.

PROVIDED that any of Grantee who shall avail itself of the usage of  
any water from such well or provide connections on its lot to a water line or  
lines such that water could be obtained from such well, shall bear the pro-  
rata share (based upon the number of lots so obligated) of all costs of  
repair, maintenance, upgrade and usage reasonably necessary to provide water  
to each lot and, including cost of electricity or other energy to power the  
pump or related equipment accruing or the cost of which occurs, during the  
time period for which a Grantee is utilizing, or has connections such that  
such Grantee can utilize, water from such well; and further provided that  
each such Grantee shall be a member of Sunset Hills Water Association-Six an  
unincorporated association (the "Association") which may be incorporated and

have all its rights transferred to a not-for-profit corporation by a vote of the majority of the lots, the owners of which are members; and further provided each such Grantee shall be personally liable to the Association and to each other such Grantee for its pro-rata share of the costs of repair, maintenance, upgrade and usage and sufficient amounts to establish such reasonable reserves as may be determined by majority vote of members, together with all costs of collection, including reasonable attorneys fees.

TO HAVE AND TO HOLD said easement and right of way into Grantee forever.

Grantor further sells, assigns and conveys all its right, title and interest in and to all pumps, tanks, switches, piping and other related equipment now or hereafter placed by Grantor in such tract to Sunset Hills Water Association-Six.

IN WITNESS WHEREOF Grantor has caused this instrument to be executed in its corporate name by its duly authorized officers as the act and deed of such corporation and Mark Alan Cromer and wife, Crystal Darlene Cromer have hereunto set their hands and seals, all the day and year first above written.

ATTEST:

CORPORATE  
SEAL

Jessica L. Mills  
Asst. Secretary

Rainbow Management Services, Inc.  
BY: Jerry W. Becheler  
President

Mark Alan Cromer (SEAL)  
Mark Alan Cromer

Crystal Darlene Cromer (SEAL)  
Crystal Darlene Cromer

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

I, a Notary Public of said State and County certify that Jessica L. Mills personally came before me this day and acknowledged that she is Asst. Secretary of Rainbow Management Services, Inc. and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by her self as its Asst. Secretary.

Witness my hand and Notarial Seal, this 16<sup>th</sup> day of April, 1991.

My commission expires:  
7.9.94

Wanda L. Watkins  
Notary Public

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

I, a Notary Public said State and County, certify that Mark Alan Cromer and wife, Crystal Darlene Cromer personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and Notarial Seal, this 24<sup>th</sup> day of April, 1991.

My commission expires:  
July 12, 1995

Sharon R. Pilat  
Notary Public

State of North Carolina, County of Buncombe

Each of the foregoing certificates, namely of Wanda L. Watkins, Sharon R. Pilat a notary or Notaries public of the State and County designated is certified to be correct.

This 21 day of May, 1991

OTTO W. DeBRUHL  
Register of Deeds, Buncombe County  
By: Jerry W. D., Deputy  
1991 at 2:23 P.M.  
OTTO W. DeBRUHL  
Register of Deeds, Buncombe County  
By: Jerry W. D., Deputy

Filed for registration on the 21 day of May