

This Instrument Prepared By:
Rob Gratigny, Attorney at Law
BPR #014328
114 Lovell Road, Suite 201
Knoxville, Tennessee 37934

DEDICATION OF PERMANENT ACCESS EASEMENT

On this the _____ day of _____, 2015, the undersigned, MASSINGALE REAL ESTATE INVESTMENTS, LLC does hereby make this Dedication of Permanent Access Easement, providing as follows:

RECITALS:

WHEREAS, Massingale Real Estate Investments, LLC is the record owner of certain real property located in the 9th Civil District of Knox County, Tennessee, being the same property more particularly described in the Quitclaim Deed of record as Instrument #201212170039367 in the Register's Office for Knox County, Tennessee; and

WHEREAS, by plat of record as Instrument #201505080060939 in the aforesaid Register's Office, Massingale Real Estate Investments, LLC re-subdivided the above referenced property into three separate tracts to be known collectively as the Red Mountain Farm Resubdivision; and

WHEREAS, access to Tracts 1 and 2 shown on the above-referenced plat is to be by means of a twenty-five foot access easement along the center of an existing gravel drive, as depicted on said plat; and

WHEREAS, Massingale Real Estate Investments, LLC now desires to formally dedicate the following access easement for egress and ingress, exclusively for the use and benefit of Tracts 1 and 2 shown on the plat of the Red Mountain Farm Resubdivision.

NOW THEREFORE, in consideration of the foregoing, and other good and valuable consideration, Massingale Real Estate Investments, LLC does hereby establish a permanent access easement for the purpose of egress and ingress to and from Neubert Springs Road for the exclusive use and benefit of Tracts 1 and 2 shown on the plat of Red Mountain Farm Resubdivision of record as Instrument #201505080060939 in the Register's Office for Knox County, Tennessee, to which plat specific reference is hereby made for a more particular description of said access easement.

RESPONSIBILITY for the maintenance of the easement created hereby shall be the obligation of each of the property owners utilizing said easement, who shall be responsible for a pro rata share of the costs and expenses associated with said maintenance. In the event any property owner shall fail to contribute his or her pro rata share as established herein, such failure shall give rise to a lien in favor of the remaining property owner(s) or in favor of any homeowner's association subsequently established by said lot owners. Said lien shall be enforceable by filing of a Notice of Lien in the Register of Deeds Office for Knox County, Tennessee, and by commencing legal action in a court of competent jurisdiction for the enforcement of such lien created hereby.

THE EASEMENT created hereby shall run with the land and shall both benefit each of the property owners utilizing said easement, their heirs, successors and assigns, and shall remain as an easement until such time as the easement may in the future be deemed a public roadway to be maintained by the appropriate

governmental authority. The obligations assumed hereunder shall be from and after the date hereof enforceable by any parties in interest entitled to the land served by the easement.

IN WITNESS WHEREOF, the undersigned has executed this instrument on the date first above written.

MASSINGALE REAL ESTATE INVESTMENTS, LLC

By: _____

Its: _____

STATE OF TENNESSEE
COUNTY OF KNOX

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, in the capacity of _____ for MASSINGALE REAL ESTATE INVESTMENTS, LLC, being duly authorized to so do, acknowledged the execution of the foregoing instrument on behalf of MASSINGALE REAL ESTATE INVESTMENTS, LLC for the purposes therein contained.

Witness my hand and official seal this the ____ day of _____, 2015.

My Commission Expires: _____

NOTARY PUBLIC

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is \$ _____.

AFFIANT

Subscribed and sworn to before me this
the ____ day of _____, 2015.

NOTARY PUBLIC

My Commission Expires: _____