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2009019305

FOR REGISTRATION REGISTER OF DEEDS
JENNIFER H. MACNEISH
NEW HANOVER COUNTY, NC
2009 MAY 29 09:12:00 AM
BK: 5410 PG: 1302-1305 FEE: \$20.00
NC REV STAMP: \$38.00
INSTRUMENT # 2009019305

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Donna Daniels CHECKED BY E. Bay

RETURN TO: Division Three Right of Way Agent
NCDOT - 3113 N. Kerr Avenue
Wilmington, NC 28405

New Hanover County Contract #09-0245

NORTH CAROLINA
COUNTY OF New Hanover
TAX MAP AND LOT R0 3700-001-009-000

STATE HIGHWAY PROJECT: 42101
PARCEL NUMBER: 065 SR1402 002

Revenue Stamps \$38.00

ROUTE: Roundabout at the Intersection
of SR1402 (Porters Neck
Road) and SR 1402
(Edgewater Club Road)

THIS FEE SIMPLE DEED, made and entered into this the 18th day of February, 2009
by and between Ogden Volunteer Fire Department, Inc. and New Hanover County
7375 Market Street
Wilmington, NC 28405

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina,
hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum
of \$ 18,825.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey
unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in Harnett
Township, New Hanover County, North Carolina, which is particularly described as follows:

Right of Way described as follows: Beginning at a point on the western property line of the grantors located southwesterly
of and perpendicular to Survey Station 17+19.85, Survey Line -Y-; thence southwesterly in a straight line to a point located
38.0 feet southeasterly of and perpendicular to Survey Station 16+50.0 Survey Line Y; thence southeasterly in a straight
line to a point located 41.0 feet northeasterly of and perpendicular to Survey station 17+00.0 Survey Line L; thence
southeasterly in a straight line to a point on the northern existing right of way boundary of SR 1491 (Porters Neck Rd - 60-
foot existing right of way); thence along and with the northern existing right of way boundary of SR 1491 (Porter's Neck
Road - 60-foot existing right of way) to the point of intersection with the western property line of the grantors; thence
northeasterly along and with the grantor's western property line to the point of beginning.

IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT,
its successors and assigns the following described areas and interests:

Temporary Drainage Easement #1 described as follows: Beginning at a point located 50 feet easterly of and perpendicular
to Survey Station 16+65.00, Survey Line -Y-; thence northwesterly in a straight line towards Survey Station 16+65.0,
Survey Line Y to a point on the eastern right of way boundary of the project, said right of way boundary at this point being
on a straight line between Survey Station 16+50.0, Survey Line Y and Survey Station 17+19.85, Survey Line Y; thence
northeasterly along and with the eastern right of way boundary of the project to a point located easterly of and
perpendicular to Survey Station 16+79.84, Survey Line L; thence southeasterly in a straight line to a point located 50 feet
easterly of and perpendicular to Survey Station 16+79.84 Survey Line Y; thence southwesterly in a straight line to point of
beginning.

Temporary Drainage Easement #2 described as follows: Beginning at a point located 50 feet northeasterly of and
perpendicular to Survey Station 17+55.0, Survey Line -L-; thence southwesterly in a straight line towards Survey Station
17+55.0, Survey Line L to a point on the northern right of way boundary of the project, said right of way boundary at this
point being on a straight line between Survey Station 17+00.0, Survey Line L and Survey Station 18+05.0, Survey Line L;
thence westerly along and with the northern right of way boundary of the project to a point located northeasterly of and
perpendicular to Survey Station 17+43.00, Survey Line L; thence northeasterly in a straight line to a point located 50.0 feet
northeasterly of and perpendicular to Survey Station 17+43.00 Survey Line L; thence southeasterly in a straight line to
point of beginning.

County: New Hanover

Project: 42101

Parcel: 065 SR1402 002

SPECIAL PROVISIONS. This deed is subject to the following provisions only: It is understood and agreed that out of the total consideration, set forth above, \$ 18,825.00 is to be paid to Ogden Volunteer Fire Department, Inc., and \$ -0- is to be paid to New Hanover County.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the New Hanover County Registry in Deed Book 1808 Page 212 and Deed Book 2768 Page 149.

The GRANTORS by the execution of this instrument, acknowledge that the plans for the above referenced project as they affect their remaining property have been fully explained to them or their authorized representative, and they do hereby release the Grantee, its successors and assigns from any and all claims for damages resulting from the construction of said project or from the past, present or future use of said premises herein conveyed for any purpose for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions:

None

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

IN WITNESS WHEREOF, NEW HANOVER COUNTY, pursuant to a resolution dated 1/20/2009 has caused this instrument to be signed in its corporate name by its CHAIRMAN OF THE NEW HANOVER BOARD OF COMMISSIONERS, its corporate seal hereto affixed, and attested by its CLERK OF THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS, by order of the NEW HANOVER COUNTY COMMISSIONERS, this the day and year first written, AND

IN WITNESS WHEREOF, Ogden Volunteer Fire Department, Inc. has hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

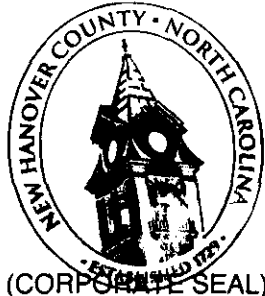


(CORPORATE SEAL)

Ogden Volunteer Fire Department, Inc.

BY: Thomas P. MacNeish *President*
Thomas P. MacNeish President

ATTEST: Stephen Kraig Knotts
Stephen Kraig Knotts Secretary



(CORPORATE SEAL)

NEW HANOVER COUNTY

BY: Ted Davis, Jr. (SEAL)
Ted Davis, Jr.
, Chairman of New Hanover County Board of Commissioners

ATTEST: Sheila L. Schult (SEAL)
Sheila L. Schult
, Clerk of New Hanover County Board of Commissioners

[Signature]
Approved as to form/County Attorney

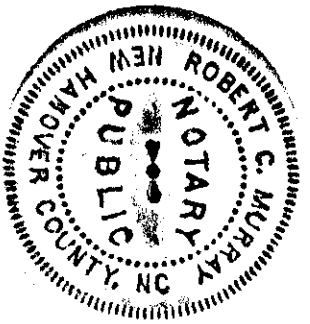
County: New Hanover

Project: 42101

Parcel: 065 SR1402 002

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY:

Eric Bay

 <p>(Stamp/Seal)</p>	STATE OF <u>NORTH CAROLINA</u> COUNTY OF <u>NEW HANOVER</u> I, <u>ROBERT C. MURRAY</u> a Notary Public for said County and State, certify that <u>S. KRANS KWITTS</u> ^{FOR} S. KRANS KWITTS personally came before me this day and acknowledged that he/she is <u>SECRETARY</u> of <u>Ogden Volunteer Fire Department, Inc.</u> a corporation and that by the authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its <u>VICE</u> President, sealed with its corporate seal, and attested by <u>HIMSELF</u> ^{FOR} KRANS KWITTS as its Secretary.
	Witness my hand and official stamp or seal, this the <u>18th</u> day of <u>FEB</u> , 20 <u>09</u> . My commission expires <u>22MAR09</u> <i>Robert C. Murray</i> Notary Public

NORTH CAROLINA, <u>New Hanover</u> COUNTY
I, <u>Kymberleigh G. Crowell</u> a Notary Public of the County and State aforesaid, do hereby certify that <u>Sheila U. Schult</u> personally appeared before me this day and that she/he is the Clerk of the <u>New Hanover</u> County Board of Commissioners, and that by authority duly given, the foregoing instrument was signed in its name by its Chairman of the <u>New Hanover</u> County Board of Commissioners, sealed with its corporate seal, and attested by <u>Sheila U. Schult</u> as its Clerk.
Witness my hand and official stamp or seal, this the <u>26th</u> day of <u>January</u> , 20 <u>2009</u> . My Commission Expires: <u>3/24/2011</u> (Stamp/Seal) <u>Kymberleigh G. Crowell</u> Notary Public



JENNIFER H. MACNEISH
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 05/29/2009 09:12:00 AM

Book: RE 5410 Page: 1302-1305

Document No.: 2009019305

4 PGS \$20.00

NC REAL ESTATE EXCISE TAX: \$38.00

Recorder: JOHNSON, CAROLYN

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

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