

FILED FOR REGISTRATION
LIZABETH R. ROUPE
REGISTER OF DEEDS

'97 JAN 3 PM 3 01

BOOK 191 PAGE 544
ALLEGHANY COUNTY, N.C.

Jackie K. Duncan
Assistant

Excise Tax

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
Verified by County on the day of, 19.....
by

Mail after recording to

This instrument was prepared by Dan R. Murray, Esquire, P. O. Box 639, Sparta, N. C.

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 3 day of January, 1997, by and between

GRANTOR

GRANTEE

Samuel F. Walker and
Tara C. Walker

State of North Carolina
Department of Transportation

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation 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.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of, Gap Civil Township, Alleghany County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A

DEED DESCRIPTION - 0.042 ACRE TRACT

Being all that certain tract or parcel of land, containing 0.042 acre, lying and being in Gap Civil Township, Alleghany County, North Carolina, being located approximately 700 feet South of the intersection of N.C. Hwy 18 and Duncan Street, bounded on the North and West by Sam Walker, and on the South and East by the North Carolina Department of Transportation, and being more particularly described as follows:

BEGINNING on an existing five-eighths inch rebar at a post, said rebar being a corner to the lands as conveyed to the North Carolina Department of Transportation (N.C.D.O.T.) by Deed recorded in Db. 181, pg. 211 (tract # 1), and running thence with the N.C.D.O.T. South $15^{\circ} 36' 45''$ West 34.22 feet to an existing five-eighths inch rebar at a post; thence with said line North $79^{\circ} 39' 30''$ West 48.13 feet to a five-eighths inch rebar set, said rebar being located South $79^{\circ} 39' 30''$ East 37.57 feet from a five-eighths inch rebar set; thence a new line with Sam Walker North $31^{\circ} 40' 01''$ East 57.92 feet to a five-eighths inch rebar set, said rebar being located South $46^{\circ} 18' 58''$ East 35.78 feet from a five-eighths inch rebar set, said rebar also being in the line of the lands as conveyed to Sam Walker by Deed recorded in Db. 188, pg. 223; thence with Walkers' line South $46^{\circ} 18' 58''$ East 36.17 feet to the BEGINNING, containing 0.042 acre, by coordinate geometry, as surveyed by W. Kevin Dowell, R.L.S., L-3695, on November 25, 1996, and being a portion of the lands as conveyed to Daniel Hall by Deed recorded in Db. 150, pg. 522. (Also see conveyance from Daniel W. Hall to Samuel F. and Tara C. Walker dated January 3, 1997, recorded in Book 191, Page 530, ACR)

Prepared By: Thomas B. Wood
N. C. Dept. of Justice
P.O. Box 25201
Raleigh, NC 27611

STATE OF NORTH CAROLINA

COUNTY OF ALLEGHANY

THIS QUITCLAIM DEED made this the 18TH day of DECEMBER
1996 by and between the State of North Carolina, acting on behalf and at the request
of its agency, the Department of Transportation, (hereinafter known as the **GRANTOR**),
and **SAMUEL F. WALKER and wife, TARA C. WALKER, (hereinafter known as**
the GRANTEES);

WITNESSETH:

THAT WHEREAS, by that Deed dated May 3, 1995, and that Drainage
Easement Agreement dated May 3, 1995, said Deed and Drainage Easement Agreement
being recorded in Deed Book 178 at Page 57, and Deed Book 178 at Page 53,
respectively of the Alleghany County Registry, the Department of Transportation acquired
highway right of way and permanent drainage easements for Project 9.8112515, in
Alleghany County; and

WHEREAS, the **GRANTEES** have requested that the Department
exchange a 0.049 acre tract of surplus right of way obtained by the Department in the
above-referenced instruments for a 0.042 acre tract that the **GRANTEES** will convey the
Department as an additional upland area to provide more buffer between the project and
the wetlands that the Department must cross as a result of the construction of State
Highway Project 9.8112515 in Alleghany County; and

WHEREAS, by that resolution adopted the 1st. day of November, 1996, the Board of Transportation approved the conveyance of the approximately 0.049 acre of surplus right of way to the Grantees in exchange for a 0.042 acre tract to be conveyed to the Department to provide more buffer between the project and the wetlands and authorized the Department to execute and deliver this instrument to the **GRANTEES**;

NOW, THEREFORE, in exchange for a 0.049 acre tract of surplus right of way to be conveyed to the **GRANTEES** in exchange for a 0.042 acre tract to be conveyed to the Department to provide more buffer between the project and the above-mentioned wetlands, the **GRANTOR**, does remise, release and forever quitclaim unto the said **GRANTEES**, their heirs, executors and assigns, all of their right, title, claim or interest in and to that 0.049 acre area lying and being in Alleghany County, North Carolina, and being described as follows:

Beginning at a point in the northern right of way boundary of State Highway Project 9.8112515, Alleghany County said point being 50 feet northerly of and normal to survey line -L- and also being shown on a plat entitled: "Boundary Survey For Sam Walker" Gap Civil Township, Alleghany County surveyed by W. Kevin Dowell of Lands End Surveying, Sparta North Carolina being the western most point of Tract 3 as shown on aforesaid plat; thence South 79° 39' 30" East 84.41 feet to a point; thence South 31° 40' 01" 54.90 feet to a point; thence along and with the aforementioned right of way boundary an arc of a curve to the left having a radius of 2914.79 feet and an arc distance of 82.28 feet with a chord bearing and distance N 41° 13' 42" West 82.28 feet to the point and place of beginning and containing 0.049 acre more or less.

Excepted from the above-described area is a permanent drainage easement described as follows: Beginning at a point in the northern right of way boundary of State Highway Project 9.8112515, Alleghany County said point being 50 feet northerly of and normal to survey line -L- and also being shown on a plat entitled:

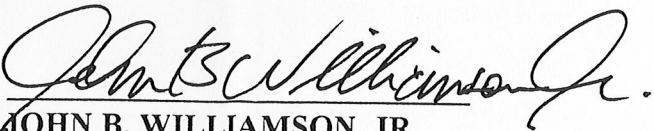
“Boundary Survey For Sam Walker” Gap Civil Township, Alleghany County surveyed by W. Kevin Dowell of Lands End Surveying, Sparta North Carolina being the western most point of Tract 3 as shown on aforesaid plat; thence South 79° 39’ 30” East 23.86 feet to a point; thence South 46° 28’ 49” 57.64 feet to a point; thence South 31° 40’ 01” West 21.04 feet to a point; thence along and with the aforementioned right of way boundary an arc of a curve to the left having a radius of 2914.79 feet and an arc distance of 82.28 feet with a chord bearing and distance N 41° 13’ 42” West 82.28 feet to the point and place of beginning and containing 0.027 acre more or less.

These descriptions were taken from the Master Plans for State Highway Project 9.8112515 in Alleghany County and from a plat entitled: “Boundary Survey For Sam Walker” Gap Civil Township, Alleghany County, surveyed by W. Kevin Dowell of Lands End Surveying, Sparta, North Carolina which plat is attached hereto and made a part hereof for reference.


TO HAVE AND TO HOLD the above-described land and premises together with all the privileges and appurtenances thereunto belonging to the said **GRANTEES**, their heirs, executors and assigns free and discharged from all right, title, claim or interest of the said **GRANTOR**, or anybody claiming by, through or under him.

IN WITNESS WHEREOF, the Department of Transportation has hereunto set its hand and seal on the day and year first above written.

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

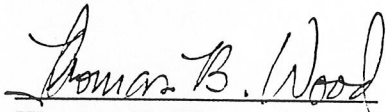
BY 
JOHN B. WILLIAMSON, JR.
MANAGER OF RIGHT OF WAY

ATTEST:


SECRETARY TO THE BOARD OF
TRANSPORTATION AND CUSTODIAN
OF THE SEAL OF THE DEPARTMENT
OF TRANSPORTATION

APPROVED AS TO FORM:

MICHAEL F. EASLEY
Attorney General


Thomas B. Wood
Assistant Attorney General

**NORTH CAROLINA
WAKE COUNTY**

This the 18TH day of DECEMBER, 1996, personally appeared before me, JOE G. CREECH JR., a Notary Public of said County and State, **Roseanna Goode**, who being by me duly sworn, says that she knows the Seal of the Department of Transportation and is acquainted with John B. Williamson, Jr., who is Manager of Right-of-Way of the Division of Highways of said Department, and that she, the said Roseanna Goode, is the Secretary to the Board of Transportation and Custodian of the Seal of the Department of Transportation, and saw said Manager of Right of Way sign the foregoing instrument, and that she, the said Secretary to the Board of Transportation and Custodian of the Seal of the Department of Transportation, affixed said seal to said instrument and signed her name in attestation of the execution thereof in the presence of said Manager of Right of Way.

WITNESS my hand and Notarial Seal, the 18TH day of DECEMBER, 1996.

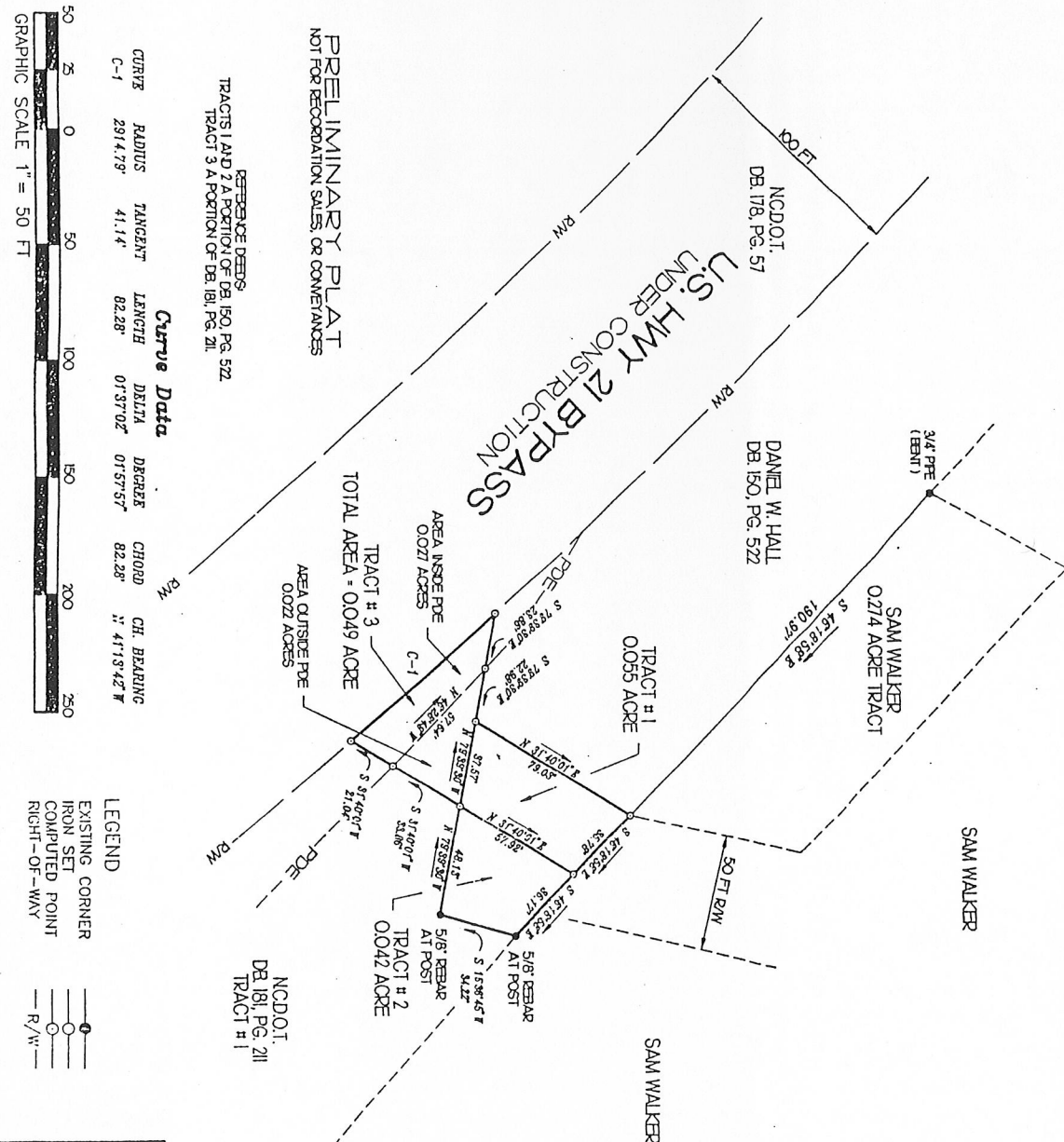

NOTARY PUBLIC

My Commission Expires:

SEPTEMBER 8, 1997

AREA BY COORDINATE GEOMETRY

NOTE
 - PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W'S OF RECORD PRIOR TO DATE OF THIS PLAT
 - TRACT # 3 SUBJECT TO PERMANENT DRAINAGE EASEMENT AS RECORDED IN DE. 181, PG. 205 (TRACT 1)



PRELIMINARY PLAT
 NOT FOR RECORDATION SALES OR CONVEYANCES

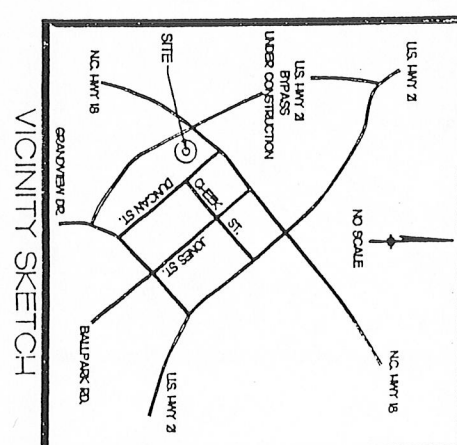
REFERENCE DEEDS:
 TRACTS 1 AND 2 A PORTION OF DE. 150, PG. 522
 TRACT 3 A PORTION OF DE. 181, PG. 211

Curve Data

CURVE	RADIUS	TANGENT	LENGTH	DELTA	DEGREE	CHORD	CH. BEARING
C-1	2914.73'	41.14'	82.28'	01°37'02"	01°57'57"	82.28'	N 41°13'42" W

GRAPHIC SCALE 1" = 50 FT

LEGEND
 EXISTING CORNER
 IRON SET
 COMPUTED POINT
 RIGHT-OF-WAY



I, W. Kevin Dowell, certify that this plat was drawn under my supervision from an actual survey mode under my supervision from recorded descriptions as shown on the face of this plat; that the boundaries not surveyed are shown by broken lines drawn from information as shown on the face of this plat; that the ratio of precision as calculated is 1: _____; that this plat was prepared in accordance with the Standard of Practice of Land Surveying in North Carolina; witness by my original registration number, and seal this _____ day of _____, 1996.

W. Kevin Dowell Registration number _____

REFERENCE DEEDS:
 TRACT # 1 AND TRACT # 2 - A PORTION OF DE. 150, PG. 522
 TRACT # 3 - A PORTION OF DE. 181, PG. 211 (TRACT 1)

PROPERTY SURVEY FOR		TOWNSHIP	COUNTY
SAM WALKER		GAP CIVIL	ALEXANDER
PROPERTY OF DANIEL W. HALL - TRACTS 1 AND 2			
LANDS END SURVEYING			
P.O. BOX 1113		SPARTA, NC 28675	DATE 11/25/95
PHONE (910) 372-6437			DEEDING NO. 96-070