

DAVIDSON COUNTY NC 06/10/2005  
19 \$70.00



Real Estate  
Excise Tax

DAVIDSON COUNTY NC  
Book 1618  
Pages 0180-0181

FILED 2 PAGE(S)  
06/10/2005 3:38 PM  
MARK C. MYERS  
Register Of Deeds

17.00  
2  
90.00 st

Revenue Stamps \$ \_\_\_\_\_

### DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Kris Barr CHECKED BY Heather Fulghum

RETURN TO: C. W. Patterson, Division Right of Way Agent  
1605 Westbrook Plaza Drive, Suite 201  
Winston-Salem, NC 27103

NORTH CAROLINA  
COUNTY OF Davidson  
TAX MAP AND LOT 308 / 042

STATE HIGHWAY PROJECT: 34468.2.3 / 8.1600902  
PARCEL NUMBER: R-2568B 031A  
ROUTE: NC 109

THIS FEE SIMPLE DEED, made and entered into this the 15<sup>th</sup> day of February 20 05  
by and between Amy M. Sowers and Husband Mike Sowers

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 \$ 34,750.00 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 (together with any provisions relating to abutter's rights of access which may be hereinafter stated), that certain property located in Thomasville Township, Davidson County, North Carolina, which is particularly described as follows:

**Right Of Way Right**  
Point of beginning being a point in the northern property line of the undersigned, and being N 25-16-30 W, 51.46 meters from a point in the centerline of -L-, Sta. 48+60; thence to a point on a bearing of S 85-53-30 E, a distance of 27.76 meters (91.1 feet); thence to a point on a bearing of S 03-07-00 E, a distance of 58.48 meters (191.9 feet); thence to a point on a bearing of N 27-05-00 W, a distance of 67.82 meters (222.5 feet); returning to the point and place of beginning.

**Right Of Way Left**  
Point of beginning being a point in the northern property line of the undersigned, and being N 24-27-00 W, 51.30 meters from a point in the centerline of --L-, Sta. 48+60; thence to a point on a bearing of N 85-53-30 W, a distance of 44.42 meters (145.7 feet); thence to a point on a bearing of S 27-05-00 E, a distance of 47.63 meters (156.3 feet); thence to a point on a bearing of S 62-55-00 W, a distance of 6.00 meters (19.7 feet); thence to a point on a bearing of S 27-05-00 E, a distance of 26.00 meters (85.3 feet); thence to a point on a bearing of S 27-05-00 E, a distance of 65.00 meters (213.3 feet); thence to a point on a bearing of S 62-55-00 W, a distance of 18.56 meters (60.9 feet); thence to a point on a bearing of S 70-40-00 E, a distance of 40.85 meters (134.0 feet); thence to a point on a bearing of N 03-07-00 W, a distance of 84.69 meters (277.9 feet); thence to a point on a bearing of N 27-05-00 W, a distance of 67.82 meters (222.5 feet); returning to the point and place of beginning

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Davidson County Registry in Deed Book 1230 Page 1479.

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

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.

IN ADDITION, and for the aforesaid consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests: NONE

IT IS UNDERSTOOD AND AGREED between the parties hereto that this conveyance is made for the purpose of constructing and establishing upon the right of way hereby conveyed a road or highway designated as State Highway Project 34468.2.3, Davidson County, which road or highway is a controlled access facility as defined by law and the GRANTORS shall have no right of access to said road or highway, except such access as may be provided by way of local service or frontage roads and streets or specific access points as shown and designated as such on the right of way plans for said State Highway Project on file in the office of the DEPARTMENT in Raleigh, North Carolina and to be recorded in the Register of Deeds Office of Davidson County pursuant to NCGS 136-19.4.

The access as provided is more particularly described as follows:

A 20 meter access is provided by NC Highway 109 at a point located between Survey Station 49+05, to 49+25, Survey Line L

As to such local service or frontage roads and streets or specific points of access, the GRANTORS reserve unto themselves, their heirs, successors, executors and assigns for the benefit of their remaining property abutters' rights of access thereto as at common law; subject, however, to the right of the DEPARTMENT to reasonably regulate said abutters' rights of access in order to protect and safeguard the traveling public.

This deed is subject to the following provisions only: NONE

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:

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.

(Corporate Name)

*Amy M. Sowers* (SEAL)  
Amy M. Sowers

BY: (President)

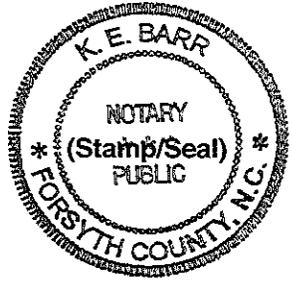
*Mike Sowers* (SEAL)  
Mike Sowers

ATTEST: (Secretary)

(CORPORATE SEAL)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION

BY: *John Doe*

	STATE OF <u>North Carolina</u> COUNTY OF <u>Davidson</u>
	I, <u>KE Barr</u> a Notary Public for Forsyth County and said State, so hereby certify that <u>Amy M. Sowers and Husband Mike Sowers</u>
	GRANTORS, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the <u>15<sup>th</sup></u> day of <u>February</u> , 20 <u>05</u> .
	My commission expires <u>May 19, 2009</u> <u>KE Barr</u> Notary Public

The foregoing Certificate(s) of KE Barr is/are certified to be correct. This instrument and this certificate are duly registered on the 10 day of June, 20 05 in Book \_\_\_\_\_, Page \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. REGISTER OF DEEDS FOR DAVIDSON COUNTY BY: Mark Myers Deputy/Assistant - Register of Deeds