

KB673 P0076

FILED
YADKIN COUNTY, NC
NUMBER _____

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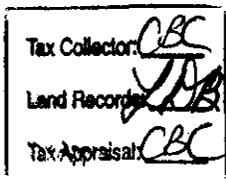
KAREN H. WAGONER
REGISTER OF DEEDS

YADKIN COUNTY NC 06/09/2004

\$12.00



Real Estate
Excise Tax



DEED FOR HIGHWAY RIGHT OF WAY

Revenue Stamps \$ 12.00

This instrument DRAWN BY: H. B. Beault CHECKED BY: T. D. Brodhan

RETURN TO: JIMMY L. CAUDLE
DIVISION RIGHT OF WAY AGENT
P. O. BOX 250
NORTH WILKESBORO, NC 28659

NORTH CAROLINA
COUNTY of Yadkin
TAX MAP AND LOT 4971.03-32-5262

STATE HIGHWAY PROJECT: 6.771010
WBS ELEMENT: 34541.2.2
PARCEL NO.: R-3415 042
ROUTE: NC-67

THIS FEE SIMPLE DEED, made and entered into this the 30th day of April 2004, by and between Dennis W. Hutta and wife Joan E. Hutta 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 **\$6,000.00** 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 Knobs Township, Yadkin County, North Carolina, which is particularly described as follows:

Fee Simple Right of Way Described As Follows:

BEGINNING at a point on the southwestern right of way boundary of Project 6.771010, WBS Element 34541.2.2, said point lying 40.00 feet southwesterly of and normal to Survey Station 83+29.45 Survey Line L; thence northwesterly in a curved line along and with the southwestern right of way boundary of the aforesaid project, all points lying 40.00 feet southwesterly of and normal to Survey Line L to a point lying 40.00 feet southwesterly of and normal to Survey Station 82+54.83 Survey Line L; thence northwesterly in a straight line along and with the southwestern right of way boundary of the aforesaid project to the point of intersection with the western property boundary of the grantor(s), said point lying 40.00 feet southwesterly of and normal to Survey Line L; thence northerly along and with the western property boundary of the grantor(s) to the northwestern property corner of the grantor(s), said northwestern corner lying in the southwestern right of way boundary of NC Hwy 67 and being further described in the hereinafter referenced deed(s); thence southeasterly along and with the northeastern property boundary of the grantor(s) lying in the southwestern right of way boundary of NC Hwy 67 to the northeastern property corner of the grantor(s), said northeastern property corner lying in the southwestern right of way boundary of NC Hwy 67 and being further described in the hereinafter referenced deed(s); thence southerly along and with the eastern property boundary of the grantor(s) to the point of intersection with the southwestern right of way boundary of the aforesaid project, said point lying 40.00 feet southwesterly of and normal to Survey Line L; thence northwesterly in a straight line along and with the southwestern right of way boundary of the aforesaid project 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:

The undersigned (Grantor) further conveys Permanent Easement area(s) to be used solely for the construction and perpetual maintenance of drainage installations described as follows:

PERMANENT DRAINAGE EASEMENT:

BEGINNING at a point on the southwestern right of way boundary of Project 6.771010, WBS Element 34541.2.2, said point lying 40.00 feet southwesterly of and normal to Survey Station 83+29.45 Survey Line L; thence southeasterly in a straight line along and with the southwestern right of way boundary of the aforesaid project to the point of intersection with the eastern property boundary of the grantor(s), said point lying 40.00 feet southwesterly of and normal to Survey Line L; thence southerly along and with the eastern property boundary of the grantor(s) to a point lying on a straight line between a point lying 40.00 feet southwesterly of and normal to Survey Station 84+07 Survey Line L and a point lying 73 feet southwesterly of and normal to Survey Station 83+55 Survey Line L; thence southwesterly in a straight line to a point lying 73 feet southwesterly of and normal to Survey Station 83+55 Survey Line L; thence westerly in a straight line to a point lying 84 feet southwesterly of and normal to Survey Station 82+80 Survey Line L; thence southwesterly in a straight line to a point lying 112 feet southwesterly of and normal to Survey Station 82+51 Survey Line L; thence northwesterly in a straight line to a point lying 112 feet southwesterly of and normal to Survey Station 82+37 Survey

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Line L; thence northwesterly in a straight line to a point lying 103 feet southwesterly of and normal to Survey Station 82+27 Survey Line L; thence westerly in a straight line to a point lying 108 feet southwesterly of and normal to Survey Station 81+60 Survey Line L; thence westerly in a straight line to a point lying 120 feet southwesterly of and normal to Survey Station 80+00 Survey Line L; thence northwesterly in a straight line to the point of intersection with the western property boundary of the grantor(s), said point lying on a straight line between a point lying 120 feet southwesterly of and normal to Survey Station 80+00 Survey Line L and a point lying 113 feet southwesterly of and normal to Survey Station 79+02 Survey Line L; thence northerly along and with the western property boundary of the grantor(s) to the point of intersection with the southwestern right of way boundary of the aforesaid project, said point lying 40.00 feet southwesterly of and normal to Survey Line L; thence southeasterly in a straight line along and with the southwestern right of way boundary of the aforesaid project to a point lying 40.00 feet southwesterly of and normal to Survey Station 82+54.83 Survey Line L; thence southeasterly in a curved line along and with the southwestern right of way boundary of the aforesaid project, all points lying 40.00 feet southwesterly of and normal to Survey Line L to the point of BEGINNING.

SPECIAL PROVISIONS:

This deed is subject to the following provisions only:

The undersigned property owners request that the Department of Transportation enter upon our lands outside of the right of way herein described to the extent that is necessary to reconnect our driveway(s), and we will have no further claim as a result of the reconnection of said driveway(s).

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Yadkin County Registry in Deed Book 372 Page 352.

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.

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, that the title thereto is marketable and free 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 this 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.

Dennis W. Hutta (SEAL)
Dennis W. Hutta

(SEAL)

(SEAL)

Joan E. Hutta (SEAL)
Joan E. Hutta

(SEAL)

(SEAL)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION
BY: [Signature] JUN 04 2004

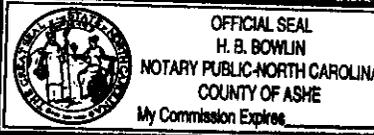
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YADKIN COUNTY

PROJECT 6.771010

WBS ELEMENT: 34541.2.2

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|  <p>OFFICIAL SEAL H. B. BOWLIN NOTARY PUBLIC-NORTH CAROLINA COUNTY OF ASHE My Commission Expires</p> | <p>STATE OF <u>North Carolina</u> COUNTY OF <u>Yadkin</u></p> <p><u>H. B. Bowlin</u> a Notary Public for <u>Ashe</u> county and the aforesaid State do hereby certify that <u>Dennis W. Hutta and wife, Joan E. Hutta</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>30th</u> day of <u>April</u>, 2004.</p> <p>My commission expires <u>02/18/2008</u> <u>H. B. Bowlin</u> Notary Public</p> |
| <p>(Stamp/Seal)</p> | |
| <p>The foregoing Certificate(s) of <u>H. B. Bowlin</u> is/are certified to be correct. This instrument and this certificate are duly registered on the <u>9th</u> day of <u>June</u>, 20<u>04</u>, in Book _____, Page _____ at _____ o'clock _____ M.</p> <p><u>Karen A. Wagoner</u> REGISTER OF DEEDS FOR <u>Yadkin</u> COUNTY</p> <p>BY: <u>Darlene W. Crater</u> DEPUTY/ASSISTANT REGISTER OF DEEDS</p> | |