

KILLIAN, KERSTEN & PATTON

THIS INSTRUMENT DRAWN BY

Brandon Boyson

CHECKED BY

[Signature]

Right of Way Department
1594 East Main Street
Sylva, North Carolina 28779

Excise Tax: \$133.00

NORTH CAROLINA
COUNTY OF Haywood
TAX MAP AND LOT _____

STATE HIGHWAY PROJECT 8.1942902
F.A. PROJECT STP-23B(1)
I.D. NUMBER R-2210A
PARCEL NUMBER 53

THIS FEE SIMPLE DEED, made and entered into this the 13th day of June 2001,
by and between Haywood Advancement Foundation, Inc., A NC Corp.
144 Industrial Park Dr.
Waynesville, NC 28786

hereinafter referred to as the 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 \$ 66,255.00 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 the right of way located in Waynesville Township, Haywood County, North Carolina, which is particularly described as follows:

BEGINNING on a point lying on a Southern property line of the undersigned on a straight line to a point being 49.21 ft. (15.0 meters) Westerly of and normal to Survey Line L; thence in a Northerly direction on a straight line to a point lying 49.21 ft. (15.0 meters) West of and normal to Survey Line L to a point lying on the Northern property line of the undersigned at 49.21 ft. (15.0 meters) Westerly of and normal to Survey Line L; thence in an Easterly direction along and with a Northern property line of the undersigned to a Northeastern property corner of the undersigned in or near the center of existing US Business 23 (Old Ash. Hwy.); thence in a Southerly direction along and with an Eastern property line of the undersigned, said property line being the existing centerline of US Business 23 (Old Ash. Hwy.) to a Southeastern property corner of the undersigned; thence in a Westerly direction along the Southern property line of the undersigned to the point of BEGINNING.

PERMANENT DRAINAGE EASEMENT

BEGINNING on a point lying on the Southern property line of the undersigned, said point lying 49.21 ft. (15. meters) Westerly of and normal to Survey Line L; thence in a Westerly direction to a Southeastern property corner of the undersigned; thence in a Southerly direction to a Southeastern property corner of the undersigned lying 167.28 ft. (51.0 meters) Westerly of and normal to Survey Line L; thence in a Westerly direction along and with a Southern property line of the undersigned to a point lying 246.0 ft. (75.0 meters) Westerly of and normal to Survey Line L; said point also being a Southwestern property corner of the undersigned; thence in a Northerly direction to a point lying 216.48 ft. (66.0 meters) Westerly of and normal to Survey Line L; thence in a Northerly direction on a straight line toward a point lying 78.72 ft. (24.0 meters) South of and normal to Survey Station 10+93.26, Survey Line Y-11 to the point of intersection with a Northern property line of the undersigned; thence in an Easterly direction along and with the Northern property line of the undersigned to a point lying 49.21 ft. (15.0 meters) Westerly of and normal to Survey Line L; thence in a Southerly direction in a straight line to the point of BEGINNING.

TO HAVE AND TO HOLD the aforesaid right of way and all privileges and appurtenances thereunto belonging to the DEPARTMENT in FEE SIMPLE.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Haywood County Registry in Deed Book 475 at Page 694 on October 15, 1999

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.

This deed is subject to the following provisions only: _____

PRESENTED TO LAND RECORDS
DATE 8/14/01 BY Smo

Haywood County--Register of Deeds
Amy R. Murray
Inst #551899 Book 499 Page 1379
Excise Tax Paid \$ 133.00
08/14/2001 09:38:26am

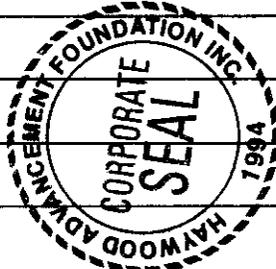
The GRANTORS by the execution of this instrument, acknowledge that the plans for the aforesaid project as they affect their property have been fully explained to them or their authorized representative.

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 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 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.

 (Corporate Name)
 HAYWOOD ADVANCEMENT FOUNDATION, INC., A NC CORP. _____ (SEAL)
 BY: *Donald C. Eudy* _____ (SEAL)
 BY: Donald C. Eudy, President (President) _____ (SEAL)
 ATTEST: *Alan J. Joyce, Jr.* _____ (SEAL)
 ATTEST: Alan J. Joyce, Jr. Secretary (Secretary) _____ (SEAL)



ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION
 BY: *J. B. Williams* JUL 09 2001

NORTH CAROLINA, ~~Wake~~ COUNTY

I, a Notary Public of the County and State aforesaid, certify that _____

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 _____ day of _____, 20 _____.

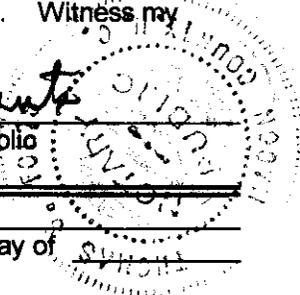
My Commission expires: _____ Notary Public

NORTH CAROLINA, Wayne COUNTY

I, a Notary Public of the County and State aforesaid certify that Alan J. Joyce, Jr.

personally came before me this day and acknowledged that he is The Secretary of Haywood Advancement Foundation, Inc. a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by Alan J. Joyce, Jr. as its Secretary. Witness my hand and official stamp or seal, this the 13th day of June, 20 01.

My Commission expires: 12-18-2001 *Thomas S. Fouts* Notary Public



The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered on the _____ day of _____, 20 _____, in Book _____, Page _____ at _____ o'clock _____ M.

REGISTER OF DEEDS FOR _____ COUNTY
 BY: _____ Deputy/Assistant - Register of Deeds

BEB:lg
 R/W D-1
 January 1995
 Return to: N.C.D.O.T., Right of Way Dept.
 1594 East Main Street
 Sylva, N. C. 28779

State of North Carolina, Haywood County
 The Foregoing Certificate(s) of THOMAS S FOUTS

is (are) Certified to be Correct.
 This Instrument was filed for Registration on this 14th Day of August, 2001 in the Book and Page shown on the First Page hereof.

Amy R. Murray
 Amy R. Murray, Register of Deeds
 BY: *Deborah M. Pedone* Deputy

STATE OF NORTH CAROLINA

Inst # 551899 Book 499 Page: 1381

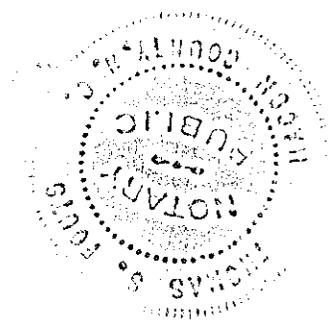
COUNTY OF Macon

I, Thomas S. Fouts, a Notary Public in and for the State and County aforesaid, do hereby certify that Alan J. Joyce, Jr acknowledged that she is Secretary of Haywood Advancement Foundation, Inc a Corporation, and that, by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by, Donald C. Eudy, its President, sealed with its corporate seal, and attested by himself/herself as its Secretary.

WITNESS my hand and notarial seal this the 13 day of June, 2001.

Thomas S. Fouts
Notary Public

My Commission expires the 18 day of Dec., 2001.



STATE OF NORTH CAROLINA

COUNTY OF _____

The foregoing or annexed certificate(s) of _____, a Notary Public of _____ County, State of _____ and _____ a Notary Public of _____ County, State of _____: attested by _____ (SEAL)(S) certified to be correct. Presented for registration and recorded in this office in Book _____ Page _____, this _____ day of _____, 20 _____ at _____ o'clock _____ M.