

Revenue Stamps \$ _____

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Anthony Rickman CHECKED BY Jillian Lundy

The hereinafter described property Does Does not include the primary residence of the Grantor

RETURN TO: Division R/W Agent, NCDOT
6 Roberts Rd. STE 102
Asheville, NC 28803

NORTH CAROLINA
COUNTY OF Buncombe
TAX PARCEL 963842782100000

TIP/PARCEL NUMBER: I-2513AC 102
WBS ELEMENT: 34165.2.18
ROUTE: I-26/I-40/I-240 Interchange TO SR 3548 (Haywood Rd)

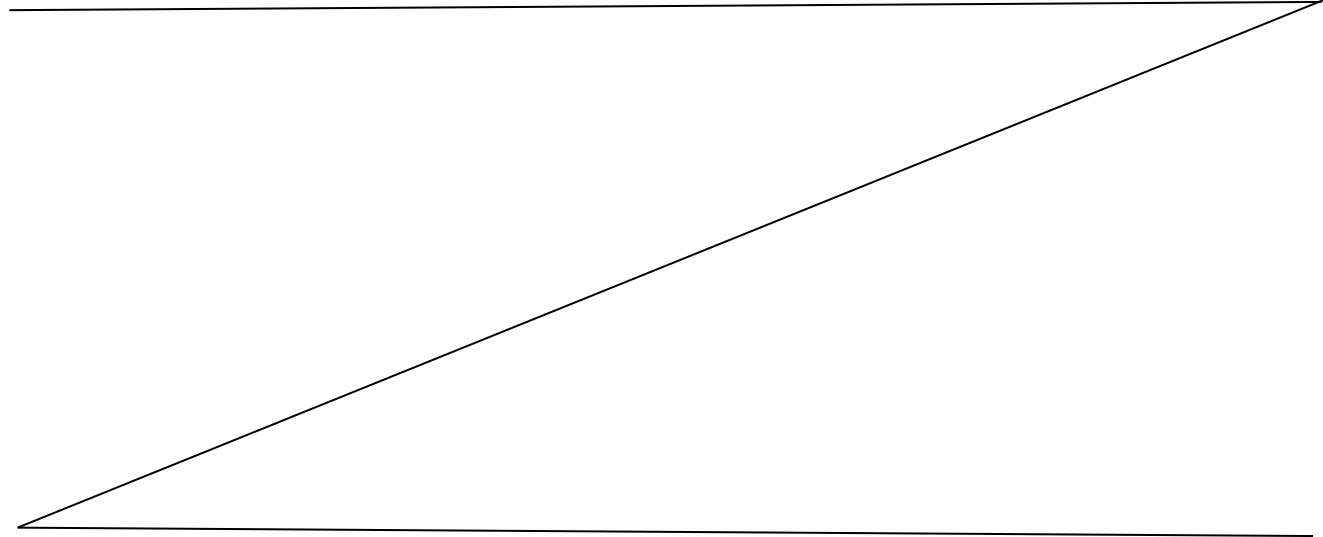
THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 _____
by and between Buncombe County
200 College St. STE 300
Asheville, NC 28801

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, 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 \$ 5,650.00 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 City of Asheville Township, Buncombe County, North Carolina, which is particularly described as follows:

Point of beginning being N 74°32'19.2" E, 194.858 feet from -L- Sta 105+00 thence to a point on a bearing of N 4°33'8.7" E 50.000 feet thence to a point on a bearing of N 85°7'36.5" W 30.558 feet thence to a point on a bearing of N 85°7'36.5" W 1.391 feet thence to a point on a bearing of S 23°47'53.2" W 126.388 feet thence to a point on a bearing of S 84°51'33.8" E 20.910 feet thence to a point on a bearing of N 40°57'6.5" E 84.675 feet thence to a point on a bearing of N 68°22'58.0" E 2.733 feet returning to the point and place of beginning. Having an area of approximately 4427.559 Sqr feet being 0.102 acres.



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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:

None

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

No means of access to the project is provided.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Buncombe County Registry in Deed Book 3179 Page 758.

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 acknowledge that the project plans for Project # 34165.2.18 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 34165.2.18, Buncombe County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

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 34165.2.18, Buncombe 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 Buncombe County pursuant to NCGS 136-19.4.

The access as provided is more particularly described as follows:

None

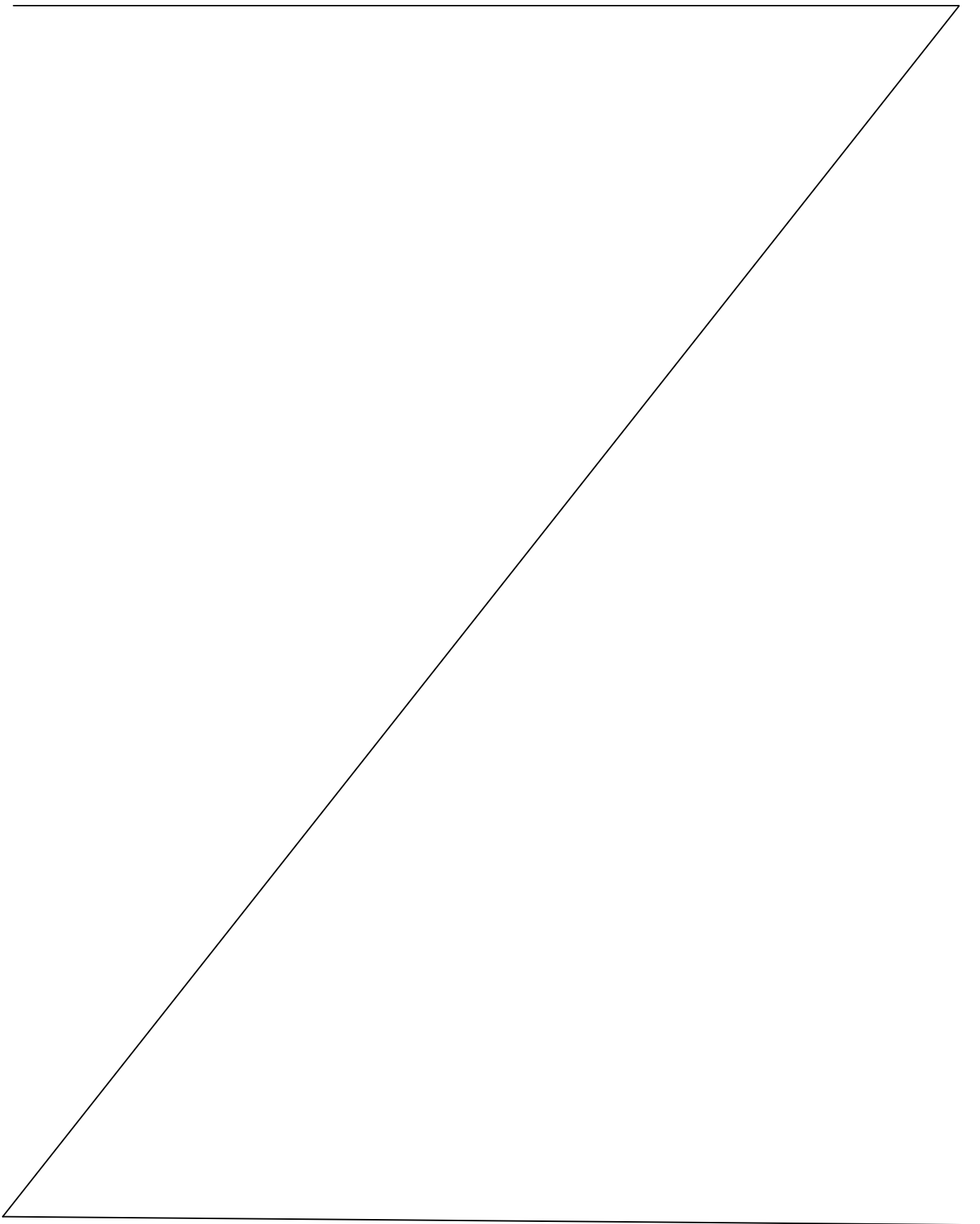
As to such local service or frontage roads and streets or specific points of access, the GRANTORS reserve unto themselves, their heirs, successors, executors and assigns for the benefit of their remaining property abutters' rights of access thereto as at common law; subject, however, to the right of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

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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.

The Grantor makes no warranty, express or implied, as to title of the property hereinabove described. Title to the property hereinabove described is hereby conveyed subject to the following exceptions: None.

Restrictive covenants and easements of record, government regulations, and the lien of property taxes for the current year.



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IN WITNESS WHEREOF, the GRANTOR pursuant to a resolution dated _____, has caused this instrument to be signed in its corporate name by its COUNTY MANAGER OF BUNCOMBE COUNTY, its corporate seal hereto affixed, and attested by its COUNTY MANAGER OF BUNCOMBE COUNTY, by order of the BUNCOMBE COUNTY, this the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

BUNCOMBE COUNTY

Avril Pinder, County Manager of Buncombe County

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County I, _____, a Notary Public for _____ County, North Carolina, certify that Avril Pinder _____ personally came before me this day and acknowledged that she is the COUNTY MANAGER of the BUNCOMBE, and that by authority duly given, the foregoing instrument was signed in its name by Avril Pinder _____, its COUNTY MANAGER of BUNCOMBE COUNTY, sealed with its corporate seal, and attested by <u>Avril Pinder</u> as its COUNTY MANAGER. Witness my hand and official seal this the _____ day of _____, 20 <u>24</u> .
	_____ Notary Public My commission expires: _____