BOOK 1485 PAGE 398 (4)

757763

This document presented and filed:
01/30/2012 09:42:08 AM

NEDRA W. MOLES, Henderson COUNTY, NC

**CORRECTIVE OR SCRIVENER'S AFFIDAVIT FOR**
**NOTICE OF TYPOGRAPHICAL OR OTHER MINOR ERROR PURSUANT TO NCGS 47-36.1**

Prepared by and return to: N.C. Department of Justice, Attorney General's Office, Property Control Section, 9001 MSC/Property Control, Raleigh, N.C. 27699-9001

The undersigned Affiant, being first duly sworn, hereby swears or affirms that the Quitclaim Deed recorded on the 15th day of December 2010 in Deed Book 1448 Page 43, the Release Deed(s) recorded on the 3rd day of December, 2010 in Deed Book 1447 Page 108, and the plat recorded on Plat Slide 8026 Henderson County Registry, by and between Meritor Heavy Vehicle Systems, LLC, 2135 W. Maple Road, Troy, Michigan 48084, Grantor(s), to State of North Carolina, Grantee(s), contained the following typographical or other minor errors:

Through mistake or inadvertence, this Plat (Plat Slide 8026) erroneously listed:

1) the North Arrow reference as NAD 83(NSRS 2006) rather than NAD 83-1986

2) foot coordinates for Cranston Az. Mk. N 624084.91422 ft, E 954994.03474 ft rather than N 624085.27 ft, E 954994.25 ft.

NONE of the calls or coordinate tables changed

Affiant makes this Affidavit for the purpose of correcting the above-described errors in each of the deed(s) and plat(s) referenced in the first paragraph above. A *corrected* plat has been recorded on the 10th day of January, 2012 in Plat Slide 8485 Henderson County Registry . A copy of the *corrected* metes and bounds description is attached as "Exhibit A."

Affiant is knowledgeable of the agreement and the intention of the parties in this regard.

Affiant is: (check one)

_____ Drafter of the original instrument being corrected.
_____ Closing attorney for transaction involving instrument being corrected.
_____ Attorney for Grantor/Mortgagor named above in instrument being corrected.
_____ Attorney for the Owner of the property described in instrument being corrected.
✓ Other (Explain: Attorney for Grantee, State of NC).

A copy of the first page of the original instrument(s) (___) are/ (x) are not attached.

SPO File 45-Q EEP Parcel ID 934 EEP Project 138

Ann W. Matthews
Signature of Affiant

Print or Type Name: Ann W. Matthews

WAKE County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Scrivener's Affidavit

Date January 17, 2012

(Official Seal)

JANE COLEMAN JOHNSON
NOTARY PUBLIC
WAKE COUNTY, N.C.
My Commission Expires 7-19-2015

Jane Coleman Johnson
(Signature)

JANE COLEMAN JOHNSON, Notary Public
(Print name)

My commission expires: 7.19.2015

"EXHIBIT A"

# LEGAL DESCRIPTION

## For a Portion of Meritor Heavy Vehicle Systems, LLC Property Along A Tributary to Cane Creek Proposed to The State of North Carolina April 12, 2010 Revised December 16, 2011

Said property located on a tributary to Cane Creek off Rockwell Road (NCSR 2025), Hoopers Creek Township, Henderson County, North Carolina being a portion of the property recorded in Deed Book 911, Page 574 (PIN 9652-23-8196) and being more particularly described as follows:

COMMENCING from North Carolina Geodetic Survey Monument "Cranston Azimuth Mark" having NGS NAD 83 (1986) coordinates North 624,085.27 feet, East 954,994.25 feet THENCE North 29 degrees 15 minutes 35 seconds East for a distance of 1861.43 feet (Grid Distance = 1861.02 feet, Combined Factor = 0.999781964) to North Carolina Geodetic Survey Monument "Cranston" having NGS NAD 83 (1986) coordinates North 625,708.85616 feet, East 955,903.84376 feet THENCE South 87 degrees 19 minutes 55 seconds West for a distance of 2432.59 feet to a 5/8" Rebar Found with Aluminum Cap (the common corner with The Town of Fletcher property, PIN 9652-45-2928, Deed Book 1056, Page 702 and having coordinates of North 625595.62 feet, East 953473.89 feet) the **TRUE POINT OF BEGINNING**

THENCE from the **TRUE POINT OF BEGINNING** and with the line of the Town of Fletcher property, South 05 degrees 15 minutes 00 seconds West for a distance of 105.56 feet to an Concrete Monument Set; THENCE leaving the line of the Town of Fletcher property along a new severance line North 78 degrees 23 minutes 40 seconds West for a distance of 1459.24 feet to a point on the bank of Cane Creek passing a point on a new easement at 13.08 feet and a Concrete Monument Set at 1397.35 feet (Concrete Monument being in the line of a proposed 30 feet wide easement for a proposed Greenway); THENCE with the south margin of Cane Creek being the boundary of Meritor Heavy Vehicle Systems, LLC (PIN 9652-23-8196, Deed Book 911, Page 574) the following two calls, North 72 degrees 13 minutes 55 seconds East for a distance of 199.13 feet to a point on the bank of Cane Creek; THENCE North 47 degrees 36 minutes 35 seconds East for a distance of 37.38 feet to a point on the bank of Cane Creek, the common corner with the Town of Fletcher property (PIN 9652-45-2928, Deed Book 1056, Page 702); THENCE with the line of the Town of Fletcher property the following seven calls, South 77 degrees 20 minutes 50 seconds East for a distance of 59.75 feet to a Concrete Monument Found passing a point on a proposed 30 foot wide easement for a proposed Greenway at 36.84 feet; THENCE South 77 degrees 20 minutes 50 seconds East for a distance of 229.00 feet to a 5/8" Rebar Found with Aluminum Cap passing a 5/8" rebar found at 11.08 feet and a Rebar Found with Aluminum Cap at 49.57 feet; THENCE South 77 degrees 20 minutes 50 seconds East for a distance of 229.00 feet to a Rebar Found with Aluminum Cap; THENCE South 77 degrees 20 minutes 50 seconds East for a distance of 229.00 feet to a Rebar Found with Aluminum Cap; THENCE South 77 degrees 20 minutes 50 seconds East for a distance of 229.00 feet to a Rebar Found with Aluminum Cap; THENCE South 77 degrees 20 minutes 40 seconds East for a distance of 257.89 feet to a Concrete Monument Found; THENCE

South 77 degrees 01 minutes 25 seconds East for a distance of 18.65 feet to a Rebar Found with Aluminum Cap, the **POINT OF BEGINNING** and being all of a certain tract of land as shown of a plat of survey prepared for the State of North Carolina by Joel Johnson Land Surveying, Inc., dated December 16, 2011, showing latest revision, drawing file # 10-015P, and recorded as Slide 8485 in the Henderson County Register of Deeds.

Said property is a portion of Meritor Heavy Vehicle Systems, LLC (PIN 9652-23-8196, Deed Book 911, Page 574) and contains 3.61 acres more or less.

TOGETHER WITH a 13.00 feet ingress/egress easement solely for use by the State of North Carolina which extends from said property south to the Right-of-Way of Rockwell Road (NCSR 2025), being bounded by the property line with the Town of Fletcher property on the East and a line offset 13.00 feet from the property line on the West and runs generally along an existing soil road as shown on plat of survey and contains 0.15 acres more-or-less.

SUBJECT TO a proposed 30.00 feet wide easement for a proposed Greenway as shown on plats of survey by both G. Marcus Brittain, PLS (showing 95.25 acres, dated 1/8/2001, Slide 3630) and McAbee & Associates, PA (showing 156.858 acres, dated 11/1/2007, drawing # G-07-2260), being more particularly described as follows:

**BEGINNING** at the western Concrete Monument Set in the new severance line of said property; THENCE North 78 degrees 23 minutes 40 seconds West for a distance of 61.89 feet to a point on the Bank of Cane Creek; THENCE North 72 degrees 13 minutes 55 seconds East for a distance of 199.13 feet to a point on the bank of Cane Creek; THENCE North 47 degrees 36 minutes 35 seconds East for a distance of 37.38 feet to a point on the bank of Cane Creek, common corner with the Town of Fletcher property (PIN 9652-45-2928, Deed Book 1056, Page 702); THENCE leaving the bank of Cane Creek and with the line of the Town of Fletcher, South 77 degrees 20 minutes 50 seconds East for a distance of 36.84 feet to a point; THENCE leaving the line of the Town of Fletcher, South 47 degrees 36 minutes 05 seconds West for a distance of 65.41 feet to a point; THENCE South 72 degrees 13 minutes 30 seconds West for a distance of 151.48 feet to the **POINT OF BEGINNING**, containing 0.16 acres more-or-less;

This 16th day of December, A.D., 2011.

NORTH CAROLINA PROFESSIONAL SEAL L-3882 LAND SURVEYOR R. JOEL JOHNSON

DEC 2011

Ralph Joel Johnson L – 3882
Joel Johnson Land Surveying, Inc.
Corporate License C – 2436