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FILED in MONTGOMERY County.
Jan 09 2004 at 10:48:23 AM
Kaye G. Norris Register of Deeds
BOOK 496 PAGE 834

No Rev.
17.00 pd.

Excise Tax $ Recording Time, Book and Page

Tax Lot No ..... Parcel Identifier No .....

Verified by ..... County on the ..... day of .....

by .....

Mail after recording to ...Russell J. Hollers, Attorney at Law, P.O. Box 567, Troy, NC 27371

This instrument was prepared by ... Russell J. Hollers, Attorney at Law, P.O. Box 567, Troy, NC 27371

Brief description for the Index: **10.891 Acres, Ophir Township, Montgomery County**

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of January, 2004 by and between

GRANTOR	GRANTEE
Phillip R. Hurley, **and wife,** **Brenda C. Hurley**	**North Carolina Department** **of Transportation** ***an agency of the State of North Carolina*** **P.O. Box 25201** **Raleigh, NC 27611**

Enter in appropriate block for each: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and Assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee in fee simple, all that certain lot or parcel of land situated in the Town of _____, **Ophir Township**, **Montgomery County**, **North Carolina** and more particularly described as follows:

Being that certain tract containing **10.891 acres,** more or less, as shown on plat made by Tim Van Gelder of McKim & Creed, PLS, L-3660, recorded in Plat Cabinet D at Slide 132-A in the office of the Register of Deeds, Montgomery County, North Carolina, to which plat reference is made for a more particular description, and by said reference said plat is made a part hereof by reference as if fully set out herein.

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The property hereinabove described was acquired by Grantor by instrument recorded in **Book , Page .**

A map showing the above described property is recorded in **Plat Cabinet D, Slide 132-A.**

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances hereto belonging to the Grantee in fee simple; and

The Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor 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 subject to the following exceptions:

Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer, the day and year first above written.

Phillip R. Hurley (SEAL)
Phillip R. Hurley

Brenda C. Hurley (SEAL)
Brenda C. Hurley

STATE OF NORTH CAROLINA
COUNTY OF MONTGOMERY

I, Gloria G. Maness, a Notary Public of the County and State aforesaid, certify that **Phillip R. Hurley and wife, Brenda C. Hurley**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 5th day of January, 2003

(SEAL)

Gloria G. Maness
Notary Public

My Commission Expires: 1/28/2004

STATE OF NORTH CAROLINA
COUNTY OF MONTGOMERY

The foregoing certificate(s) of Gloria G. Maness
Is certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Montgomery County, NC in Book 496 at Page 834.

This the 9 day of January, 2004, at 10:48, A.M.

Kaye B. Norris
Register of Deeds