NOV 2007
STATE PROPERTY OFFICE

Subject: encroachment at LOHA
From: Katie Armstrong <katie.armstrong@ncmail.net>
Date: Fri, 16 Nov 2007 10:07:34 -0500
To: David Keeley <david.keeley@ncmail.net>

19-29.1

David,
This email is about the boundary encroachment that I mentioned on the phone the other day. In 2003, the State bought almost 900 acres of land from Duke University that became Lower Haw River State Natural Area (SPO No. 019-N). Prior to that time and since the transfer, an adjacent landowner has claimed that he owns about 30 acres of State land. The adjacent landowner is Mr. Ricky Spoon, former assistant district attorney for Chatham County and local developer.

Both Duke and State Parks staff have spoken with Mr. Spoon about the disputed area to no avail. He has convinced the Chatham County tax office that he owns the property and has been paying taxes on 107.67 acres including the disputed 30 acres. Even the deed in which Mr. Spoon bought the property and his own survey, however, fail to substantiate his claim (see Plat 2003-216). Mr. Spoon has repeatedly removed State Park boundary signs. Most recently two park rangers encountered Mr. Spoon on his property on November 9, 2007. Please see attached narrative for a summary of the incident.

This email is to request your assistance in confirming the State's ownership of the disputed acreage and in convincing Mr. Spoon to withdraw his claims on the property. As you will note from the narrative, Mr. Spoon asked for this issue to be resolved by the Governor's office. While we do not expect him to reach that level, he may use his position as former ADA for Chatham County to draw some attention to this situation. As such, we are interested in resolving it as quickly and definitively as possible. Lastly, Mr. Spoon owns other land we are eventually interested in acquiring for Lower Haw River State Natural Area.

I am sending you copies of the following documents:

documents are attached in this order:

Copy of Boundary Incident report from Ranger Fred Watkins
State of NC's deed — Chatham Co. Registry Book 1076, Page 109
Duke survey — Chatham Co. Registry, Plat Book 2003, Page 138
Duke deed — Chatham Co. Registry, Book 320, Page 403
Chatham County Tax Info for Parcel Number 7266
Spoon's current deed (2005) — Chatham Co. Registry Book 1171, Page 260
Spoon's original deed (1997) — Chatham Co. Registry Book 735, Page 366
Spoon's survey — Chatham Co. Registry, Plat Book 2003, Page 216

Please let me know if you have any questions and thanks in advance for your help.

Katie

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