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703WM

BOOK 1357
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Iredell County, NC
Recorded 07/26/2002 11:38:48am
No 9999-00087537 1 of 2 pages
Excise Tax: $250.00
Brenda D. Bell, Register of Deeds

Drawn by:
Alan G. Carpenter, Attorney
1318-C Davie Avenue
Statesville, NC 28677

Excise Tax: $250.00

NORTH CAROLINA

GENERAL WARRANTY DEED

IREDELL COUNTY

THIS DEED made this 26th day of July, 2002, by and between BUTTKE DAIRY ENTERPRISES, INC., a North Carolina corporation, hereinafter called the "Grantor," and the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter called the "Grantee,"

(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 the context.)

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Cool Springs Township, Iredell County, North Carolina, and more particularly described as follows:

**Parcel 703 WM, Project 6.769011T**

**BEING the property lying to the South of the southern margin of the Right of Way of Interstate 40**, which property being conveyed is a part of the land described in the deed from Allen D. Campbell to Allen D. Campbell and wife, Janet H. Campbell, dated January 31, 1966, and recorded in Deed Book 423, page 25, Iredell County Registry. **The property which lies on the Northern side of the Northern margin of U.S. Interstate Highway 40 is specifically excluded from this conveyance.**

While the property being conveyed is only that portion lying to the South of the southern margin of the Interstate 40 Right of Way, the entire legal description from the deed recorded in Deed Book 423, page 25, Iredell County Registry, is repeated here for reference:

BEGINNING at a stake in the line of Mack Williams, the northwest corner of Clyde Anderson, and running thence with the line of Mack Williams, North 85 deg 52 min West 779.6 feet to a point on the West margin of the Old River Hill (paved) Road in the line of the P. W. Swann Estate; thence with the Swann Estate line South 3 deg West 3072 feet to the center of Fifth Creek, a corner of the Swann Estate; thence with the center of Fifth Creek, East 495 feet to a point in the center of said creek, a corner of Edwards; thence with the line of Edwards, South 00 deg 08 min West 860 feet to a stone, in the line of Vance Freeze, a corner of Edwards; thence with the line of Freeze, South 87 deg 15 min East 957 feet to an iron stake in the line of Clyde Anderson; thence with the line of Anderson, North 16 deg 30 min East, 127 feet to an iron stake; thence with the line of Anderson, North 47 deg 30 min West 1170 feet to a point in the center of Fifth Creek, a corner of Anderson; thence with the center of Fifth Creek, North 81 deg East 1378 feet to a point in the center of said creek; thence with the line of Anderson, North 69 deg West 58 feet to a stake in the ditch; thence North 83 deg West 91 feet to a stake at the ditch; thence North 13 deg West, 165 feet to a stake at the ditch; thence North 55 deg East, 470 feet to an iron stake; thence North

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31 deg West 297 feet to an iron stake; thence North 17 deg West 437 feet to an iron stake; thence South 69 deg West 638 feet to an iron stake; thence North 45 deg West, 231 feet to an iron stake; thence North 5 deg 40 min West, 1730 feet to a stake at the beginning containing 101.3 acres, more or less.

The right of way for Interstate 40 was established in the consent judgment entitled State Highway Commission vs. Allen D. Campbell and wife, Janet H. Campbell, et al, recorded in Deed Book 474, page 564, Iredell County Registry.

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

And the Grantor covenants with the Grantee, that the 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, rights of way and restrictions of record, if any.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed in its corporate name by its duly authorized officer, this the day and year first above written.

Buttke Dairy Enterprises, Inc.

by: Arlin E. Buttke
Arlin E. Buttke, President

(SEAL)

NORTH CAROLINA
IREDELL COUNTY

I, a Notary Public of Iredell County and State aforesaid, certify that Arlin E. Buttke personally came before me this day and acknowledged that he is President of Buttke Dairy Enterprises, Inc., a North Carolina corporation, and that he, as President, being duly authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this 26th day of July, 2002.

Paulette J. Porter
Notary Public

My Commission Expires: 9-6-05
(Official Seal)

The foregoing Certificate of Paulette J. Porter is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Brenda D. Bell, REGISTER OF DEEDS FOR IREDELL COUNTY

By Kay W Matthews
~~Deputy~~/Assistant Register of Deeds