3

702WM

BOOK 1357
PAGES 728 - 730
Iredell County, NC
Recorded 07/26/2002 11:36:47am
No 9999-00087536 1 of 3 pages
Excise Tax: $351.00
Brenda D. Bell, Register of Deeds

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

Excise Tax: $351.00

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 702 WM, Project 6.769011T**

**TRACT One: BEGINNING** at a stone, Lackey's corner, formerly Lazenby's corner in Hair's line; thence running with Lackey's line, North 57 deg East 560 feet to a white oak, L. E. Swann's corner; thence North 82 deg 30 min East 990 feet to a stake, a new corner of Mable Swann Goodwin, which stake is 33 feet from the center line of the creek; thence a new line, South 47 deg West 200 feet to a point, a new corner, 30 feet from the center line of the creek, and South 53 deg 30 min West 200 feet to a point 20 feet from the center line of the creek, and South 65 deg 28 min West 939 feet to a stake, 45 feet from the center line of the creek and in the Bowles' line, formerly Hair's; thence with the Bowles' line, formerly Hair's, North 42 deg West 300 feet to the point of **BEGINNING, containing 9.95 acres**, more or less. For back title, see Deed Book 505, page 323, Iredell County Registry.

**TRACT Two: BEGINNING** at a point at the Southeast intersection of the right of way of State Road Number 2167 and Interstate 40, running thence with the Southern right of way of Interstate 40 the three (3) following courses and distances along a curve to the right: North 75 deg 25 min 44 sec East 743.04 feet; thence North 83 deg 12 min 32 sec East 393.41 feet; North 84 deg 12 min East 6.20 feet to a point, a corner of Allen D. Campbell in the Southern right of way of Interstate 40; thence with the line of Allen O. Campbell, South 1 deg 11 min 38 sec West 560.06 feet to a point in the center of Fifth Creek; thence with the center of Fifth Creek, the two (2) following courses and distances: South 89 deg 00 min West 630 feet; South 77 deg 00 min West 240 feet to a point in the Eastern margin of the right of way of State Road Number 2167; thence with the Eastern margin of the right of way of State Road Number 2167 along a curve to the left of the three (3) following courses and distances: North 27 deg 14 min West 117.31 feet; North 28 deg 01 min 39 sec West 177.15 feet; thence North 36 deg 15 min 40 sec West 163.46 feet to the place of **BEGINNING, containing 11.12 acres**, more or less. For back title, see Deed Book 497, page 342, Iredell County Registry.

BOOK 1357 PAGE 728 9999-00087536

**TRACT Three**: BEGINNING at a point at the Southwest intersection of the right of way of Interstate 40 and State Road Number 2167; running thence with the Western right of way of State Road Number 2167 along a curve to the right the following courses and distances: South 36 deg 15 min East 200.67 feet; thence South 30 deg 28 min East 221.39 feet to a point, said point being located 53.24 feet from the center of a branch as it intersects the Western right of way of State Road Number 2167; running thence along a traverse line approximately paralleling said Branch; the centerline of which is the property line, the following courses and distances: South 55 deg 20 min West 856.20 feet; South 77 deg 11 min West 227.09 feet; thence North 78 deg 02 min West 221.01 feet; thence running 16 deg west 200 feet to a point in the Western line of North Carolina State Highway Commission, said point being located North 23 deg 26 min East 21 feet from the centerline of the Branch; thence with the Western line of North Carolina State Highway Commission, North 23 deg 26 min East 89.85 feet to a point in the Southern right of way of Interstate 40; running; running thence 1,283.46 feet with the arc of a curve to the right along the Southern right of way of Interstate 40, the chord bearing of which is North 59 deg 29 min East to the place of **BEGINNING containing 13.88 acres**, more or less. For back title, see Deed Book 497, page 342, Iredell County Registry.

The above described property is subject to a right of way easement over the Southern boundary for a width of 20 feet North of the North bank of Fifth Creek in favor of The Federal Land Bank of Columbia, South Carolina, in connection with a deed of trust held on the adjacent tract of land owned by Allen D. Campbell.

**TRACT Four: BEGINNING** at a point, the intersection of the center line of Fifth Creek and the Westerly right of way line of State Road Number 2167, said point being South 16 deg 32 min East 17.00 feet from a concrete monument on the Northerly Bank of said Creek and in the Westerly right of way line of said State Road; and running thence with said right of way line, South 16 deg 32 min East 81.83 feet to a concrete monument on said right of way; thence with said right of way line, South 9 deg 56 min East 105.75 feet to an iron stake, the Northeasterly corner of the Betty Jo Giddens property; thence with the Northerly line of said Giddens property, South 40 deg 42 min West 797.43 feet to an old stone, the Northwesterly corner of said Giddens property, and the Northeasterly corner of the Mable S. Goodwin property; thence with the Northerly line of said Goodwin property and falling in with the Northerly line of the Allen D. Campbell property, North 86 deg 09 min West 1,124.22 feet to a ten inch white oak, the Northwesterly corner of said Campbell property and the Southeasterly corner of the William J. Harris property; thence with the Easterly line of said Harris property, North 21 deg 48 min East 199.79 feet to an old stone, the Northeasterly corner of said Harris property, and the Southeasterly corner of the North Carolina Department of Transportation property; thence with the Easterly line of said Department of Transportation property, North 21 deg 48 min East 364.41 feet to a point in the center of Fifth Creek, said point being the Southwesterly corner of the Allen D. Campbell property; thence following the center of said Creek as it meanders, said line being the Southerly line of said Allen D Campbell property, the following four (4) courses and distances: South 60 deg 02 min East 287.39 feet, South 77 deg 22 min East 214.20 feet, North 79 deg 36 min East 195.63 feet, north 65 deg 08 min East 815.68 feet to the said Westerly right of way line of State Road Number 2167, the point of **BEGINNING containing 15.154 acres**, more less. For back title, see Deed Book 586, page 78, 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