FILED
SEP 16 2005
SECRETARY OF STATE

CABARRUS COUNTY
FILED
01/26/2005 3:49 PM
LINDA F. MCABEE
Register Of Deeds
By. KR Deputy/Asst.
EXCISE TAX $222.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $222.00

Parcel Identifier No. 010060038.000000 Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Dana C. Hall, P.O. Box 36957, Charlotte, NC 28236

This instrument was prepared by: Dana C. Hall

Brief description for the Index: 7.922 acres

THIS DEED made this 26 day of January, 2005, by and between

GRANTOR	GRANTEE
EDWARD F. KIRGAN and wife, VICKY L. KIRGAN	STATE OF NORTH CAROLINA c/o State Property Office 1321 Mail Service Center Raleigh, NC 27699-1321 (File 013-J)

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. 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, 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 the City of _____, No. 1 Township, Cabarrus County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and made part hereof.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 578 page 272.

A map showing the above described property is recorded in Plat Book _____ page _____.

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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 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, other than the following exceptions: taxes for the current and subsequent years and enforceable easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

_____ (Entity Name)

By: _____ Title: _____

By: _____ Title: _____

By: _____ Title: _____

USE BLACK INK ONLY

Edward F Kirgan (SEAL)
EDWARD F. KIRGAN

Vicky L. Kirgan (SEAL)
VICKY L. KIRGAN

_____ (SEAL)

_____ (SEAL)

USE BLACK INK ONLY

State of North Carolina - County of Cabarrus

I, the undersigned Notary Public of the County and State aforesaid, certify that Edward F. Kirgan and Vicky L. Kirgan personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 26 day of January, 20 05

My Commission Expires: 1-21-2008 Dana C Hall
Notary Public

OFFICIAL SEAL
Notary Public, North Carolina
County of Cabarrus
DANA C. HALL
My Commission Expires January 21, 2008

USE BLACK INK ONLY

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that _he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of each entity, _he signed the forgoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.

My Commission Expires: _____
Notary Public

USE BLACK INK ONLY

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.

My Commission Expires: _____
Notary Public

NORTH CAROLINA – CABARRUS COUNTY

The foregoing (or annexed) certificate(s) of Dana C. Hall, a notary public, is (are) certified to be correct. This the 26 day of Jan, 20 05.

LINDA F. McABEE, REGISTER OF DEEDS

by: Williamson Asst./Deputy

Lying and being in Number 1 Township, Cabarrus County, North Carolina and being part of deed book 578 page 272, Cabarrus County Register of Deeds, and more particularly described as follows:

Beginning at NCGS monument "Jackson", having North Carolina grid coordinates of N: 591,218.6633, E: 1,524,060.5728 (NAD 1983 (86)). Thence, S 00°19'01" E 8587.56' (ground dist, 8586.18' grid distance, combined grid factor 0.999839661) to a point in the centerline of Rocky River Road (S.R. 1139), a common corner with Choann K. Hoyle (deed book 578 page 274 Cabarrus County Register of Deeds), in the center of a 100' A.T. & T. right of way. The True Point and Place of Beginning.

Thence with the line of Hoyle N 36°28'39" E, passing a set #5 rebar at a distance of 39.02' and at 1152.11', in all a total distance of 1281.64' to a set #5 rebar a common corner of Hoyle in the line of Roy D. Mills Trustee (deed book 2362 page 21 Cabarrus County Register of Deeds), said point being S 06°56'25" E 230.52' from an existing #5 rebar, witnessed by an 1 ½" pipe.

Thence two calls with the line of Mills:

1. S 06°56'25" E 75.32' to an existing #3 rebar.
2. S 77°23'52" E 49.21' to set #5 rebar a common corner with Tract 1 in the line of Mills.

Thence with the common line of tracts 1 and 2 nine (9) calls as follows:

1. S 24°13'36" W 419.52' to a set #5 rebar.
2. S 07°33'26" W 185.04' to a set #5 rebar.
3. S 39°22'34" W 140.23' to a set #5 rebar.
4. S 49°06'46" W 198.60' to a set #5 rebar.
5. S 28°05'18" W 205.74' to a set #5 rebar.
6. S 12°27'44" W 327.86' to a set #5 rebar.
7. S 34°14'19" W 92.55' to a set #5 rebar.

8. S 58°14'22" W 76.14' to an existing rebar with N.C.D.O.T. Cap.
9. S 81°08'49" W, passing a point on the right of way of Rocky River Road at a distance of 25.00', in all a total distance of 48.35' to a point in the centerline of Rocky River Road.

Thence with the centerline of Rocky River Road two (2) calls as follows:

1. N 08°51'11" W 299.11 to a point.
2. N 01°35'14" W 189.53' to a point, the **Point and Place of Beginning,** containing 7.922 acres including the existing right of way for Rocky River Road, as shown on a plat entitled "Boundary survey of Kirgan Property" by Concord Engineering and Surveying, Inc. dated 12/09/04, CESI Job no. 041111.001, and recorded in map book 45, page 93 of the Cabarrus County Register of Deeds.

tract 2