



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE: 4/7/2017
WBS ELEMENT: 42376.2.FR1
FA PROJECT: STPDA-021(018)
TIP/PARCEL: U-5114-051
COUNTY: Mecklenburg
DESCRIPTION: US-21 (Statesville Road) and Sr 2136 (Gilead Road)

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

Town of Huntersville

BY: _____ (SEAL)
John Aneralle Mayor of Town of Huntersville

ATTEST _____ Clerk of the Town of Huntersville

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY:

(Official Seal)	North Carolina, <u>Mecklenburg</u> County
	I, _____, a Notary Public for <u>Mecklenburg</u> County, North Carolina, certify that
	_____ personally came before me this day and acknowledged that he/she is the CLERK of the Town of <u>Huntersville</u> , and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the Town of <u>Huntersville</u> , sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the day of _____, _____, 20____.
	_____ Notary Public

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Kenny Hill CHECKED BY Shelby Randall

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Division 10 R/W Agent, NCDOT
206 Charter Street
Albemarle, NC 28001

NORTH CAROLINA

COUNTY OF Mecklenburg

TAX PARCEL 017-105-02

TIP/PARCEL NUMBER: U-5114 051

WBS ELEMENT: 42376.2.FR1

ROUTE: US 21 (Statesville Road) and
SR 2136 (Gilead Road)

THIS FEE SIMPLE DEED, made and entered into this the day of 20 17
by and between Town of Huntersville
PO Box 664
Huntersville, NC 28078

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in Huntersville Township, Mecklenburg County, North Carolina, which is particularly described as follows:

Point of beginning being S 07°10'45.0" W, 21.166 feet from -Y- Sta 16+00; thence to a point on a bearing of S 83°31'29.4" W, 20.000 feet; thence to a point on a bearing of S 05°28'30.6" E, 24.486 feet; thence to a point on a bearing of N 88°16'22.7" E, 80.170 feet; thence to a point on a bearing of N 05°30'33.0" W, 15.123 feet; thence to a point on a bearing of S 83°31'29.4" W, 60.001 feet; thence to a point on a bearing of N 05°28'30.6" W, 16.000 feet; returning to the point and place of beginning.

IN ADDITION, and for the aforesaid consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

None

SPECIAL PROVISIONS. This deed is subject to the following provisions only: NONE

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Mecklenburg County Registry in Deed Book 30491 Page 604

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

COUNTY: Mecklenburg WBS ELEMENT: 42376.2.FR1 TIP/PARCEL NO.: U-5114 051

The Grantors acknowledge that the project plans for Project # 42376.2.FR1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 42376.2.FR1, 42376.2.FRI County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS 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 hereby conveyed subject to the following exceptions:

All such valid and enforceable easements and restrictions as may appear of record, specifically the Easement Agreement to the Town of Huntersville for a certain strip or parcel of land 10 feet in width for the purpose of laying, constructing, reconstructing and maintaining one or more than one water and/or sewer lines, which is dated May 31, 1983, and of record in the Register of Deeds of Mecklenburg County, North Carolina in Deed Book 4816, at Page 952

IN WITNESS WHEREOF, the GRANTORS pursuant to authority delegated by Town Of Huntersville Town Council on _____, have caused this instrument to be signed in its corporate name by its Mayor, its corporate seal to be hereunto affixed, and attested by its TOWN CLERK by order of the TOWN OF HUNTERVILLE TOWN COUNCIL, the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Town of Huntersville

BY: _____
John Aneralla ; Mayor of Town of Huntersville

ATTEST: _____ Clerk of the Town of Huntersville

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, <u>Mecklenburg</u> County
	I, _____, a Notary Public for <u>Mecklenburg</u> County, North Carolina, do hereby certify that
	personally appeared before me this day and acknowledged that he/she is the Clerk of the Town of Huntersville and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the Town of Huntersville, sealed with its corporate seal and attested by _____ as its Town Clerk.
	Witness my hand and official seal this the _____ day of _____, 20____.
	_____ Notary Public
	My commission expires: _____