

549



Doc ID: 004925200004 Type: CRP  
Recorded: 01/17/2014 at 01:00:14 PM  
Fee Amt: \$446.00 Page 1 of 4  
Revenue Tax: \$420.00  
Franklin County North Carolina  
Brandi S. Davis Register of Deeds  
BK **1935** PG **549-552**

Prepared by Davis, Sturges & Tomlinson, Attys., P. O. Drawer 708, Louisburg, NC 27549  
Stamps: 1/17/14

Grantor's Primary Residence: no

NORTH CAROLINA

FRANKLIN COUNTY

**WARRANTY DEED**

THIS DEED, Made this 16th day of January, 2014, by and between **BRIAN J. McCRODDEN AND WIFE ELIZABETH G. McCRODDEN** hereinafter called Grantor, and **JAMES S. McINTYRE**, 504 Mitchell Store Road, Youngsville, North Carolina, 27596, hereinafter called Grantee.

**WITNESSETH**

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, and convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in Cedar Rock Township, Franklin County, North Carolina, described as follows:

Being of that certain tract or parcel of land containing 70.475 acres, more or less, lying and being in Cedar Rock Township, Franklin County, North Carolina, lying along King Road (S.R. 1465) as more particularly shown on that plat of Robert C. Kelley, PLS, entitled, "Recombination Survey for Brian J. McCrodden and Elizabeth G. McCrodden" a copy of said plat being recorded in Book 2008, Page 359, Franklin County Registry, reference to which is made for a more particular and accurate description.

The above-referenced tracts or parcels of land are encumbered by certain Conservation Easement to Tar River Land Conservancy, Inc. Dated December 30, 2008 which is recorded in Book 1713 Pages 313-329 Franklin County Registry which are permanent encumbrances upon the land and shall be perpetual easements and encumbrance attached to and run with the title to the land for the purposes therein described.

The Grantee does hereby acknowledge the aforesaid conservation easement and the obligations and responsibilities of the landowner in relation to the purposes for said easement as contained in the individual document and agrees to assume said obligation and responsibilities and hold the Grantor harmless from any future violations of the terms therein contained.

There is a DOT Right Of Way Agreement recorded in Book 1191 Page 622 which is an encumbrance upon the title to said property.

That the Grantee joins in the execution of this document for the purpose of acknowledging the aforesaid easements and the obligations and responsibilities of the landowner as to the lands conveyed hereby.

TO HAVE AND TO HOLD the above described premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantee, his heirs and/or successors and assigns forever.

And the Grantor covenants that he is seized of said premises in fee, and has the right to convey the same in fee simple; that said premises are free from encumbrances (with the exception above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Brian J. McCrodden (SEAL)  
BRIAN J. McCRODDEN, Seller

Elizabeth G. McCrodden (SEAL)  
ELIZABETH G. McCRODDEN, Seller

STATE OF NORTH CAROLINA  
COUNTY OF FRANKLIN

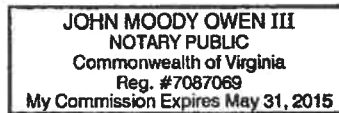
I, the undersigned Notary Public of the County and State aforesaid, certify that **BRIAN J. McCRODDEN AND WIFE ELIZABETH G. McCRODDEN**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of JANUARY, 2014.

John Moody Owen III  
Notary Public

My Commission expires: May 31, 2015

(SEAL)



JAMES S. McINTYRE, Buyer

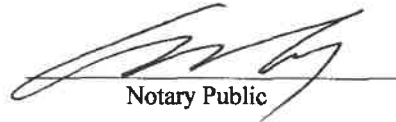
 (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF FRANKLIN

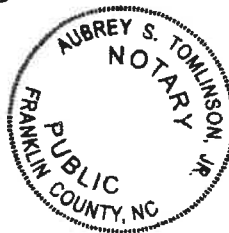
I the undersigned Notary Public for the State and County aforesaid, do hereby certify that JAMES S. McINTYRE personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose of acknowledging the existence of the Conservation Easement to Tar River Land Conservancy, Inc. and the obligation to comply with the terms of said Easement as owner of the subject lands..

WITNESS my hand and official seal this the 17 day of January, 2014

  
Notary Public

My Commission Expires: 4-28-15

(SEAL)



DRAWN BY: K. Way BK 191 PG 0622 18 CHECKED BY: Mark Hillman

RETURN TO: Leonard G. Scarborough, NCDOT  
815 Stadium Drive  
Durham, NC 27704

### RIGHT OF WAY AGREEMENT

STATE OF NORTH CAROLINA  
COUNTY OF Franklin  
TOWNSHIP OF Cedar Rock

PARCEL: 9  
PROJECT: 6.382146  
SECONDARY ROAD: 1465 - King Road

Brian McCrodden and Elizabeth G. McCrodden

the undersigned owners of that certain property described in Deed Book 954 at Page 342 in the Register of Deeds Office of Franklin County, and bounded by \_\_\_\_\_ recognizing the benefits to said property by reason of the construction of the proposed highway development, and in consideration of the construction of said project, hereby grants to the North Carolina Department of Transportation the right of way as herein described and releases the Department from all claims for damages by reason of said right of way across the lands of the undersigned, and of the past and future use thereof by the Department, its successors and assigns, for all purposes for which the Department is authorized by law to subject such right of way; said right of way being the width indicated and across said property as follows:

60 feet in width measured 30 feet on each side of the centerline of the road, said centerline to be located by the Department and the construction or improvement of said road shall constitute the selection of said centerline; and such additional width as might be necessary to provide for cut and fill slopes, sedimentation control and drainage of road.

It is understood and agreed that the 60 foot right of way hereinabove referred to has been staked upon the ground and the centerline of the road is located in the center of the right of way stakes. The undersigned property owners further agree not to erect any structures, including masonry mailboxes, masonry driveway headwalls, any fencing, etc. or engage in cultivation within the right of way granted herein except as approved by the North Carolina Department of Transportation pursuant to G.S. 136-93 and NC Admin. Code 1.19A, r.02E.0404.

This agreement also includes as additional right of way that portion of the undersigned's property located within the following described area: A cul-de-sac having a radius of 50 feet beginning at Survey Station 48+23.00, Survey Line Centerline and extending in all directions.

It is further understood and agreed that should circumstances, conditions, or actions by the North Carolina Department of Transportation delay or delete the proposed improvement of said road, that the right of way granted herein shall remain until such time as released by the North Carolina Department of Transportation.

There are no conditions to this agreement not expressed herein. The undersigned hereby covenant and warrant that they are the sole owners of said property; that they solely have the right to grant this right of way, and that they will forever warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this the \_\_\_\_\_ day of \_\_\_\_\_, 2000.

Brian McCrodden (SEAL)  
Elizabeth G. McCrodden (SEAL)

Elizabeth G. McCrodden (SEAL)  
Elizabeth G. McCrodden (SEAL)

NORTH CAROLINA, Wake COUNTY

I, Julia Kinney, a Notary Public of the County and State aforesaid, certify that

Brian McCrodden & Elizabeth G. McCrodden  
GRANTORS, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 15 day of September, 2000.

My Commission Expires: My Commission Expires 2-3-2003

Julia Kinney  
Notary Public

North Carolina-Franklin County

The foregoing Certificate(s) of Julia Kinney, a Notary Public is/are certified to be correct. This instrument and this certificate are duly registered on the 26th day of October, 2000, in Book 1191, Page 622 at 11:45 o'clock A M.

Kay S. Hunt Kay S. Hunt REGISTER OF DEEDS FOR Franklin COUNTY

BY: Linda H. Hester, Asst. Deputy/Assistant - Register of Deeds

(For Improvement of Secondary Road)  
Revised August 1995-cjb