

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Brian Rogers CHECKED BY Taylor Keith

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

RETURN TO: Division R/W Agent, NCDOT
815 Stadium Drive
Durham, NC 27704

NORTH CAROLINA	TIP/PARCEL NUMBER:	<u>U-6241 005</u>
COUNTY OF <u>Wake</u>	WBS ELEMENT:	<u>36249.4025</u>
TAX PARCEL <u>1758582090; 1758489229</u>	ROUTE:	<u>US 401 BUS (Main St.) from South of Jonesville Rd. to North of Young St</u>

THIS FEE SIMPLE DEED, made and entered into this the 8 day of April 20 2022
by and between Wallbrook Landco, LLC
3 Keel Street, Unit 2
Wrightsville Beach, NC 28480

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 Wake Forest Township, Wake County, North Carolina, which is particularly described as follows:

Beginning at Point "1", thence N 48°59'31" W 445.22 ft. to point "2"; thence along a curve turning to the right, having a radius of 610.0000 ft. and having a chord with a bearing of N 25°17'27" W and a chord distance of 490.33 ft., an arc distance of 504.60 ft. along said curve to point 3, thence N 01°35'35" W 69.99 ft. to point "4"; thence N 01°12'12" W 241.74 ft. to point "5"; thence S 45°58'18" E 107.62 ft. to point "6"; thence along a curve turning to the left, having a radius of 640.0000 ft. and having a chord with a bearing of S 48°15'58" E and a chord distance of 51.91 ft., an arc distance of 51.92 ft. along said curve to point 69, thence S 14°03'30" W 36.83 ft. to point "70"; thence S 13°49'32" E 90.48 ft. to point "71"; thence S 05°05'35" E 25.00 ft. to point "73"; thence S 07°42'40" E 157.27 ft. to point "76"; thence S 76°29'15" W 16.00 ft. to point "75"; thence along a curve turning to the left, having a radius of 497.0000 ft. and having a chord with a bearing of S 14°51'22" E and a chord distance of 23.31 ft., an arc distance of 23.31 ft. along said curve to point 9, thence S 73°26'43" E 76.12 ft. to point "10"; thence along a curve turning to the left, having a radius of 359.0000 ft. and having a chord with a bearing of N 55°47'44" E and a chord distance of 89.52 ft., an arc distance of 89.75 ft. along said curve to point 11, thence N 48°26'44" E 139.17 ft. to point "12"; thence along a curve turning to the right, having a radius of 429.0000 ft. and having a chord with a bearing of N 56°15'22" E and a chord distance of 116.73 ft., an arc distance of 117.10 ft. along said curve to point 13, thence S 86°17'33" E 129.32 ft. to point "14"; thence S 37°53'38" E 12.62 ft. to point "15"; thence along a curve turning to the left, having a radius of 371.0000 ft. and having a chord with a bearing of S 66°43'08" W and a chord distance of 197.26 ft., an arc distance of 199.66 ft. along said curve to point 16, thence S 34°28'36" W 82.35 ft. to point "17"; thence along a curve turning to the right, having a radius of 444.0000 ft. and having a chord with a bearing of S 50°43'59" W and a chord distance of 188.03 ft., an arc distance of 189.46 ft. along said curve to point 18, thence S 28°21'37" W 34.77 ft. to point "19"; thence S 42°37'06" E 144.27 ft. to point "21"; thence S 70°47'36" E 48.47 ft. to point "22"; thence S 48°59'31" E 55.00 ft. to point "23"; thence S 33°02'47" E 36.40 ft. to point "24"; thence S 48°00'35" E 175.03 ft. to point "25"; thence S 85°53'40" E 100.42 ft. to point "26"; thence along a curve turning to the right, having a radius of 4821.0000 ft. and having a chord with a bearing of N 40°46'35" E and a chord distance of 101.07 ft., an arc distance of 101.07 ft. along said curve to point 27, thence N 06°49'47" E 24.61 ft. to point "28"; thence along a curve turning to the right, having a radius of 4835.0000 ft.

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and having a chord with a bearing of N 42°09'28" E and a chord distance of 91.23 ft., an arc distance of 91.23 ft. along said curve to point 29, thence N 46°46'07" E 132.38 ft. to point "30"; thence S 37°53'38" E 22.96 ft. to point "31"; thence along a curve turning to the left, having a radius of 4025.9900 ft. and having a chord with a bearing of S 41°32'31" W and a chord distance of 544.25 ft., an arc distance of 544.67 ft. along said curve to point 1, returning to the 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:

Permanent Drainage Easement described as follows:

Beginning at Point "57", thence S 78°20'43" W 75.47 ft. to point "58"; thence S 42°30'52" W 0.22 ft. to point "59"; thence N 66°15'35" W 45.11 ft. to point "60"; thence S 82°35'44" W 5.46 ft. to point "61"; thence N 01°35'35" W 48.92 ft. to point "62"; thence N 69°56'18" E 75.12 ft. to point "63"; thence along a curve turning to the left, having a radius of 610.0000 ft. and having a chord with a bearing of S 33°54'31" E and a chord distance of 92.45 ft., an arc distance of 92.54 ft. along said curve to point 57, returning to the place of beginning.

Said Permanent Drainage Easement in perpetuity is for the installation and maintenance of drainage facilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Drainage Easement area(s). It is further understood and agreed that Permanent Drainage Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Drainage Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Permanent Utility Easement described as follows:

Area 1: Beginning at Point "32", thence N 44°47'00" E 315.76 ft. to point "33"; thence N 31°32'44" W 20.64 ft. to point "34"; thence N 44°15'35" E 10.21 ft. to point "35"; thence S 32°57'39" E 23.07 ft. to point "36"; thence N 68°55'22" E 3.10 ft. to point "37"; thence S 37°53'38" E 16.96 ft. to point "30"; thence S 46°46'07" W 132.38 ft. to point "29"; thence along a curve turning to the left, having a radius of 4835.0000 ft. and having a chord with a bearing of S 42°09'28" W and a chord distance of 91.23 ft., an arc distance of 91.23 ft. along said curve to point 28, thence S 06°49'47" W 20.39 ft. to point "38"; thence S 65°18'40" W 93.00 ft. to point "32"; returning to the place of beginning.

Area 2: Beginning at Point "9", thence along a curve turning to the right, having a radius of 497.0000 ft. and having a chord with a bearing of N 14°51'22" W and a chord distance of 23.31 ft., an arc distance of 23.31 ft. along said curve to point 75, thence N 76°29'15" E 16.00 ft. to point "76"; thence S 11°11'59" E 17.19 ft. to point "77"; thence S 73°33'13" E 63.82 ft. to point "78"; thence N 55°34'50" E 75.54 ft. to point "79"; thence N 48°30'04" E 134.68 ft. to point "80"; thence N 14°24'55" W 48.11 ft. to point "81"; thence S 86°25'32" E 15.53 ft. to point "82"; thence S 15°30'40" E 47.56 ft. to point "84"; thence along a curve turning to the left, having a radius of 429.0000 ft. and having a chord with a bearing of S 48°39'05" W and a chord distance of 3.22 ft., an arc distance of 3.22 ft. along said curve to point 12, thence S 48°26'44" W 139.17 ft. to point "11"; thence along a curve turning to the right, having a radius of 359.0000 ft. and having a chord with a bearing of S 55°47'44" W and a chord distance of 89.52 ft., an arc distance of 89.75 ft. along said curve to point 10, thence N 73°26'43" W 76.12 ft. to point "9"; returning to the place of beginning.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Utility Easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Utility Easement area(s) in any

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manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Temporary Construction Easement described as follows:

Area 1: Beginning at Point "32", thence N 39°13'28" E 102.00 ft. to point "39"; thence N 41°56'51" E 56.10 ft. to point "40"; thence N 49°21'24" E 158.72 ft. to point "33"; thence S 44°47'00" W 315.76 ft. to point "32"; returning to the place of beginning.

Area 2: Beginning at Point "26", thence N 85°53'40" W 41.99 ft. to point "20"; thence N 31°33'57" E 45.63 ft. to point "32"; thence N 65°18'40" E 93.00 ft. to point "38"; thence S 06°49'47" W 4.22 ft. to point "27"; thence along a curve turning to the left, having a radius of 4821.0000 ft. and having a chord with a bearing of S 40°46'35" W and a chord distance of 101.07 ft., an arc distance of 101.07 ft. along said curve to point 26, returning to the place of beginning..

Area 2A: Beginning at Point "48", thence N 85°53'40" W 28.31 ft. to point "25"; thence N 48°00'35" W 175.03 ft. to point "24"; thence N 33°02'47" W 36.40 ft. to point "23"; thence N 48°59'31" W 55.00 ft. to point "22"; thence N 70°47'36" W 48.47 ft. to point "21"; thence N 42°37'06" W 24.15 ft. to point "43"; thence S 79°14'20" E 74.09 ft. to point "44"; thence S 48°59'31" E 65.00 ft. to point "45"; thence S 14°00'00" E 48.83 ft. to point "46"; thence S 52°30'48" E 130.25 ft. to point "47"; thence S 50°58'47" E 57.68 ft. to point "48"; returning to the place of beginning.

Area 2B: Beginning at Point "42", thence N 42°37'06" W 16.69 ft. to point "19"; thence N 28°21'37" E 34.77 ft. to point "18"; thence along a curve turning to the left, having a radius of 444.0000 ft. and having a chord with a bearing of N 61°53'00" E and a chord distance of 16.65 ft., an arc distance of 16.65 ft. along said curve to point 41, thence S 21°25'13" W 54.49 ft. to point "42"; returning to the place of beginning.

Area 3: Beginning at Point "15", thence S 37°53'38" E 18.15 ft. to point "49"; thence S 89°17'31" W 32.06 ft. to point "50"; thence S 68°10'11" W 89.28 ft. to point "51"; thence S 53°48'02" W 88.04 ft. to point "52"; thence S 20°47'17" W 33.50 ft. to point "53"; thence S 41°59'27" W 33.49 ft. to point "54"; thence S 62°18'33" W 59.25 ft. to point "55"; thence along a curve turning to the left, having a radius of 444.0000 ft. and having a chord with a bearing of N 41°46'50" E and a chord distance of 50.69 ft., an arc distance of 50.71 ft. along said curve to point 17, thence N 34°28'36" E 82.35 ft. to point "16"; thence along a curve turning to the right, having a radius of 371.0000 ft. and having a chord with a bearing of N 66°43'08" E and a chord distance of 197.26 ft., an arc distance of 199.66 ft. along said curve to point 15, returning to the place of beginning.

Area 4: Beginning at Point "2", thence N 56°54'03" W 33.98 ft. to point "56"; thence N 38°07'18" W 81.42 ft. to point "57"; thence along a curve turning to the left, having a radius of 610.0000 ft. and having a chord with a bearing of S 43°37'18" E and a chord distance of 114.11 ft., an arc distance of 114.28 ft. along said curve to point 2, returning to the place of beginning.

Area 5A: Beginning at Point "64", thence N 61°02'29" E 142.81 ft. to point "65"; thence N 52°08'31" E 87.48 ft. to point "80"; thence S 48°30'04" W 134.68 ft. to point "79"; thence S 55°34'50" W 75.54 ft. to point "78"; thence N 73°33'13" W 32.16 ft. to point "64"; returning to the place of beginning.

Area 5B: Beginning at Point "84", thence N 15°30'40" W 11.78 ft. to point "83"; thence N 51°43'12" E 41.07 ft. to point "66"; thence N 28°13'57" E 34.45 ft. to point "67"; thence along a curve turning to the left, having a radius of 639.9987 ft. and having a chord with a bearing of S 84°30'46" E and a chord distance of 39.75 ft., an arc distance of 39.76 ft. along said curve to point 68, thence S 86°17'33" E 9.72 ft. to point "13"; thence along a curve turning to the left, having a radius of 429.0000 ft. and having a chord with a bearing of S 56°28'16" W and a chord distance of 113.54 ft., an arc distance of 113.88 ft. along said curve to point 84, returning to the place of beginning.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area(s) until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

None

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The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Wake County Registry in Deed Book 18103 Page 1563.

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.

The Grantors acknowledge that the project plans for Project # 36249.4025 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 # 36249.4025, Wake 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: *Restrictive covenants and easements of record, government regulations, and the lien of property taxes for the current year.*

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IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

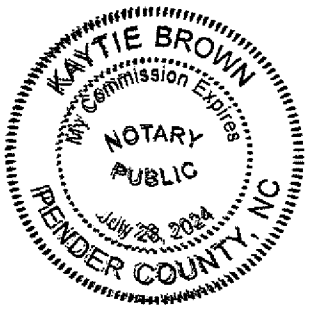
This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

WALLBROOK LANDCO, LLC

BY: CSE WALLBROOK, LLC, Manager

Austin Williams (SEAL)
Austin Williams, Manager

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: *[Signature]*

(Official Seal) 	North Carolina, <u>New Hanover</u> County I, <u>Kaytie Brown</u> , a Notary Public for <u>Rutherford</u> County, North Carolina, do hereby certify that <u>Austin Williams</u> Manager of <u>CSE WALLBROOK, LLC</u> , a limited liability company, which is Manager of <u>WALLBROOK LANDCO, LLC</u> a limited liability company, personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.
	Witness my hand and official seal this the <u>8</u> day of <u>April</u> , 20 <u>22</u> . <u><i>[Signature]</i></u> Notary Public My commission expires: <u>7/28/2024</u>

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF ROLESVILLE AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED

Owner _____

NOTARY STATEMENT
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

G.S. 47-30 CERTIFICATE

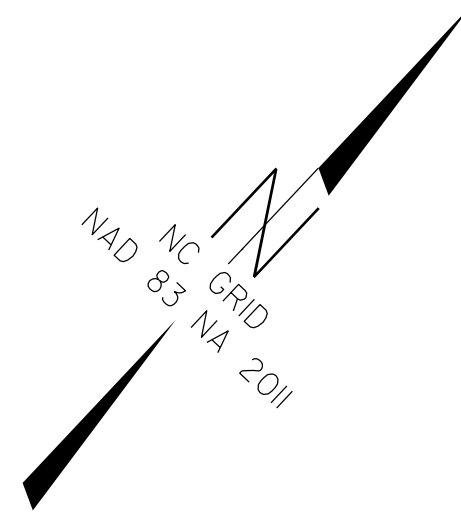
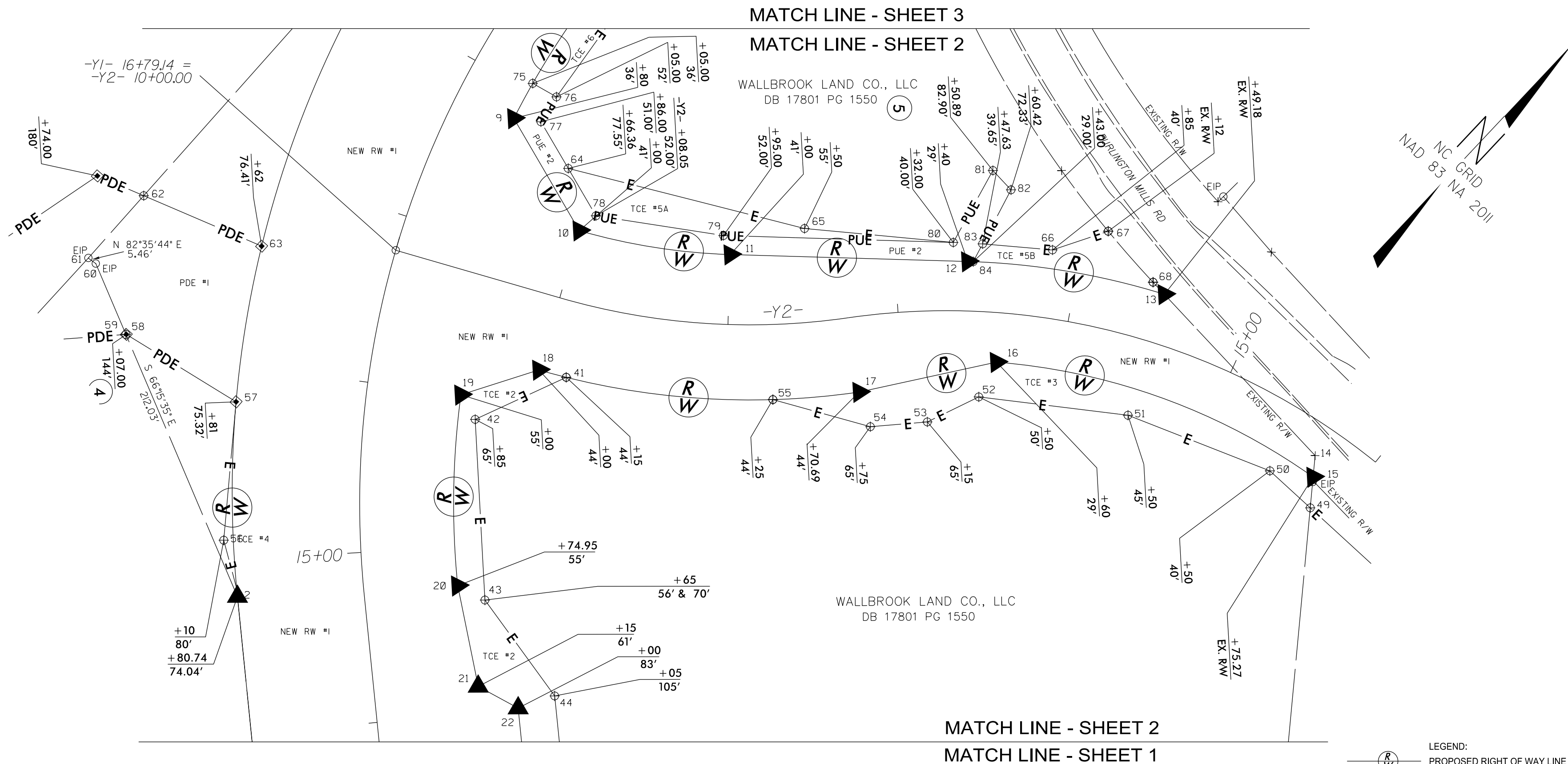
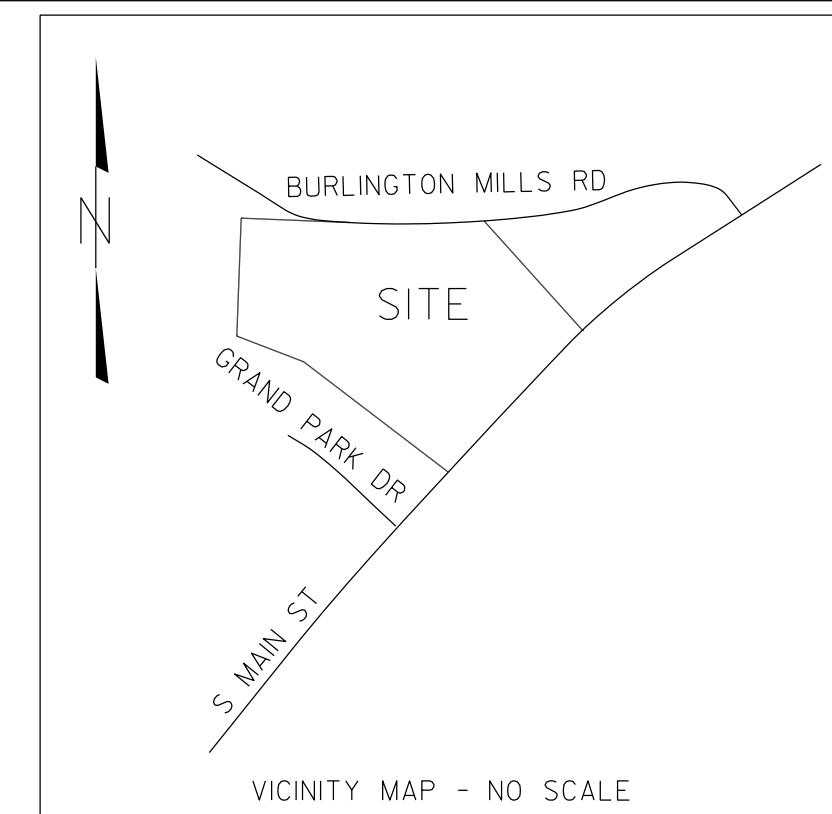
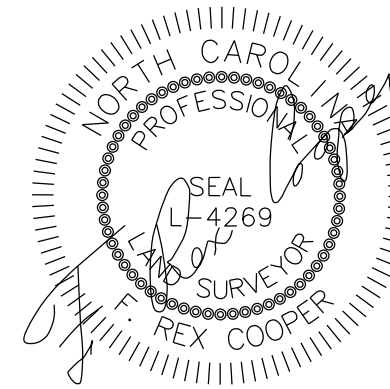
I, F. REX COOPER, CERTIFY THAT THIS IS A COMPOSITE PLAT THAT WAS DRAWN UNDER MY SUPERVISION FROM ACTUAL SURVEYS MADE UNDER MY SUPERVISION AND FROM DEED AND PLAT REFERENCES AS SHOWN ON THE PARCELS HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY THE LINE TYPE STIPULATED IN THE LEGEND; THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1: 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10TH DAY OF NOVEMBER, 2021.

F. Rex Cooper
SURVEYOR L-4269
REGISTRATION NUMBER

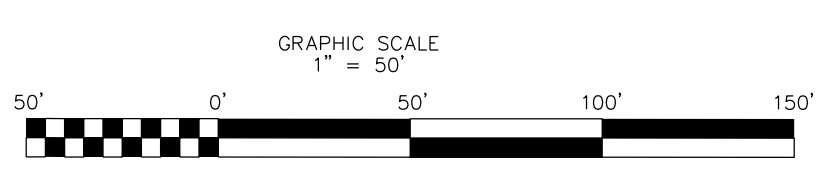
North Carolina, Wake County

I, F. Rex Cooper, Professional Land Surveyor No. L-4269 certify that this survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision. This 10th day of November, 2021.

F. Rex Cooper
SURVEYOR L-4269
REGISTRATION NUMBER

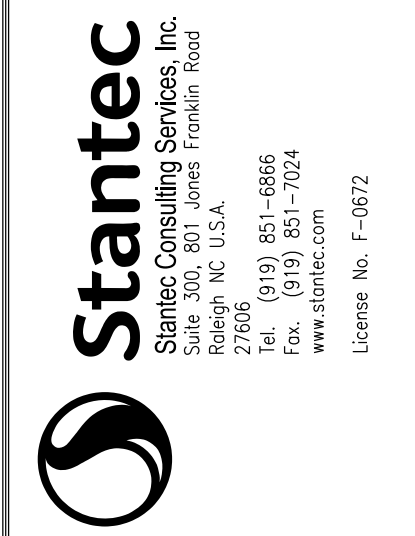


NOTE: SEE SHEET 4 OF 4 FOR MEETS AND BOUNDS AND AREA TABLES



- LEGEND:
- PROPOSED RIGHT OF WAY LINE
 - SUBJECT PROPERTY LINE
 - PARCEL LINE
 - PROPOSED PERMANENT UTILITY EASEMENT
 - PROPOSED TEMPORARY CONSTRUCTION EASEMENT
 - EASEMENT/RIGHT-OF-WAY LINE
 - PERMANENT DRAINAGE EASEMENT
 - AERIAL UTILITY EASEMENT
 - PROPERTY LINE MONUMENTATION
 - COMPUTED POINT
 - CONCRETE MONUMENT
 - EXISTING CONTROL MONUMENT
 - RIGHT OF WAY
 - DEED BOOK
 - PAGE
 - NOW OR FORMERLY
 - EXISTING IRON PIPE
 - EDGE OF TRAVEL
 - EDGE OF PAVEMENT
 - PARCEL NUMBER

- NOTES:
- AREAS COMPUTED BY COORDINATE METHOD.
 - THE PURPOSE OF THIS PLAT IS TO SHOW AREAS DESIGNATED AS EASEMENTS AND TO DEDICATE RIGHT-OF-WAY.
 - NO PHYSICAL IMPROVEMENTS TO THE SUBJECT PROPERTIES HAVE BEEN SHOWN HEREON SO AS TO BETTER DELINEATE EASEMENT AREAS. ALL SUBJECT PROPERTIES ARE CURRENTLY PART OF A CONSTRUCTION PROJECT.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 - THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



EXEMPT PLAT
FOR EASEMENT & RIGHT OF WAY DEDICATION

WALLBROOK LANDCO LLC
(OWNER)
PIN: 1758582090
S MAIN ST - ROLESVILLE,

WAKE FOREST TOWNSHIP WAKE COUNTY NORTH CAROLINA

REVISIONS	
DATE	DESCRIPTION

PROJECT NO.: 171002202
SURVEYED BY: TB
DRAWN BY: FRC
CHECKED BY: BB
DATE: 11/10/2021

SHEET 2 OF 4
CADD #: PAR-5-SHEET-2_WALLBROOK.DGN

