

PENDER COUNTY NC 12/20/2005

FILED

BK 2846 PG 242

\$112.00



Real Estate Excise Tax

05 DEC 20 PM 2:24

JOYCE M. SWICEGOOD
REGISTER OF DEEDS
PENDER COUNTY, NC

Recorded and Verified
Joyce M. Swicegood
Register of Deeds
Pender County, NC

Portion of:

PIN # 3322-89-7366-0000

DATE 12/20/05 INT *JH*

Excise Tax \$ 112.00 Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 2005
by _____

Mail after recording to  This instrument was prepared by Lawrence S. Boehling

Brief Description for the index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made DECEMBER 19, 2005, by and between

GRANTOR

GRANTEE

JAMES F. DRAKE AND WIFE
JUDITH M. DRAKE

ALAN H. MCMAUGH
24 OVERHILL RD.
ROCKY POINT, NY 11778

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 Pender County, North Carolina and more particularly described as follows:

See attached "EXHIBIT A" containing 11.78 acres, more or less.

Subject to the following restrictions as set forth below:

A. Homes must have a minimum of 1200 square feet of heated space and must be either stick built or new double widens with brick underpinning.

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 except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

- 1. Pender County ad valorem taxes for 2005 and subsequent years.
- 2. Right of way and easements of record, if any.
- 3. Restrictive covenants of record, if any.
- 4. Pender County zoning and/or subdivision ordinances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this 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.

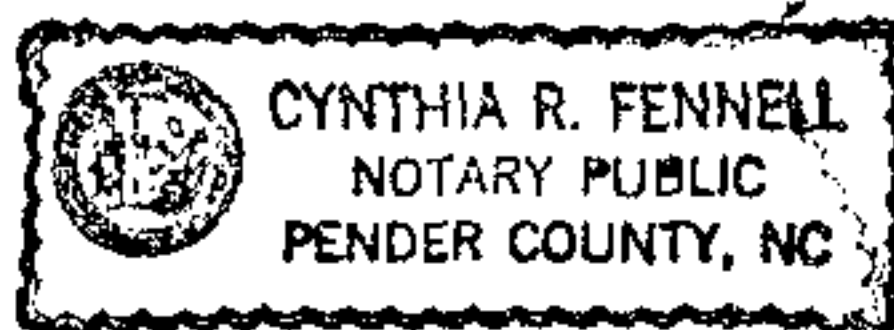
 (Corporate Name)
 By: _____
 President

James F. Drake (SEAL)
 James F. Drake
Judith M. Drake (SEAL)
 Judith M. Drake

SEAL-STAMP

STATE OF NORTH CAROLINA, PENDER COUNTY.
 I, CYNTHIA R. FENNELL, the undersigned, a Notary Public of the County and State aforesaid, certify that JAMES F. DRAKE AND WIFE, JUDITH M. DRAKE Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 19 day of DECEMBER, 2005.

My commission expires: 11-20-2009 *Cynthia R. Fennell* Notary Public



SEAL-STAMP

STATE OF NORTH CAROLINA, PENDER COUNTY.
 I, _____ the undersigned, a Notary Public of the County and State aforesaid, certify that _____ Grantor, 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 _____, 2005.

My commission expires: _____ Notary Public

The foregoing Certificate(s) of

is/are 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.

By _____ REGISTER OF DEEDS FOR _____ COUNTY
 Deputy/Assistant-Register of Deeds.

DESCRIPTION FOR 11.78 ACRE TRACT

Located in Union Township, Pender County, State of North Carolina.

Beginning at a 5/8 inch iron rod found in the right-of-way line of a 50 foot wide private road (Tracy Drive), said iron rod being a corner of Lot 21 of the Mallard Roost Subdivision (Section 5) as recorded in Map Book 38, Page 82 of the Pender County Registry, and runs thence

With the right-of-way line of a 50 foot wide private road North 56 degrees 15 minutes 00 seconds West 118.63 feet to a 5/8 inch iron rod found, thence

With the right-of-way line of a 50 foot wide private road North 30 degrees 32 minutes 10 seconds East 688.89 feet to a 5/8 inch iron rod found, thence

With the right-of-way line of a 50 foot wide private road as it curves, said curve having a radius of 853.23 feet and an arc length of 425.57 feet, and being subtended by a chord of North 44 degrees 49 minutes 30 seconds East 421.17 feet to a 5/8 inch iron rod found, thence

With the right-of-way line of a 50 foot wide private road North 59 degrees 06 minutes 50 seconds East 230.00 feet to a 5/8 inch iron rod found, thence

North 68 degrees 18 minutes 56 seconds East 88.30 feet to a 5/8 inch iron rod found, thence

South 69 degrees 30 minutes 44 seconds East 407.68 feet to a 5/8 inch iron rod found, thence

South 39 degrees 15 minutes 20 seconds West 130.00 feet to a 5/8 inch iron rod found, thence

With the line of Mallard Roost Subdivision South 50 degrees 22 minutes 00 seconds West 699.74 feet to a 5/8 inch iron rod found, thence

With the line of Mallard Roost Subdivision South 54 degrees 33 minutes 00 seconds West 722.34 feet to the point of beginning, CONTAINING 11.78 acres more or less.

Being a part of that land described in a deed recorded in Book 955, Page 158 of the Pender County Registry.

Together with an easement described as follows:
Beginning at a railroad spike found in the center of the pavement of S. R. No. 1318 (Crooms Bridge Road) where it intersects the centerline of a 40 foot wide easement (Mallard Roost Drive), and runs thence,

With the centerline of the 40 foot wide easement (Mallard Roost Drive) North 03 degrees 06 minutes 00 seconds East 1201.11 feet to a point, thence

With the centerline of a 50 foot wide easement (Tracy Drive) North 56 degrees 15 minutes 00 seconds West 502.99 feet to a point, thence

With the centerline of a 50 foot wide easement (Tracy Drive) North 30 degrees 32 minutes 10 seconds East 712.49 feet to the point of curvature, thence

With the centerline of a 50 foot wide easement as it curves, said curve having a radius of 878.23 feet and an arc length of 438.04 feet and being subtended by a chord of North 44 degrees 49 minutes 30 seconds East 433.51 feet to a point at the end of curvature, thence

With the centerline of a 50 foot wide easement North 59 degrees 06 minutes 50 seconds East 230.00 feet to the point of termination.

BEING the same property containing 11.78 acres, more or less, as shown on a map entitled "Final Plat of Subdivision for: James F. Drake and wife, Judith M. Drake" recorded in Map Book 40 at page 117 of the Pender County Registry. Drake Drive as shown on the above referenced map is actually Tracy Drive.