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This instrument was prepared by: **Robert C. Cogswell, Jr.**

WARRANTY DEED-Form WD-602

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STATE OF NORTH CAROLINA, **Cumberland** County.

THIS DEED, Made this **1st** day of **December**, 19 **82**, by and between  
**CITY OF FAYETTEVILLE**, a municipal corporation organized and existing  
under the laws of the State of North Carolina

of **Cumberland** County  
and State of North Carolina, hereinafter called GRANTOR, and **JON FITCHETT and WALTER L. FOLSOM**

of **Cumberland** County and State of North Carolina, hereinafter called GRANTEE.

WITNESSETH: That the Grantor, for and in consideration of the sum of **One (\$1.00)** Dollars  
and other good and valuable considerations 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, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in  
**Cross Creek** Township **Cumberland** County, North Carolina, described as follows:

TRACT ONE: BEGINNING at a railroad "T" iron driven in the ground on an old ditch on the West side of the Cape Fear River, two large pine pointers, a corner of a tract of land belonging to the Atlantic Coastline Railroad Company, and running thence South 5 degrees 30 minutes West 600 feet to an iron stake; thence North 79 degrees 20 minutes East 340 feet, more or less, (old deed says 200 feet to the river) to the Cape Fear River; thence up the various courses of said River North 02 degrees 58 minutes 03 seconds East 603.59 feet to a corner on the edge of the river in a line of the Atlantic Coastline Railroad property; thence as and with the said line of the said Railroad property South 77 degrees 00 minutes West 313.8 feet, more or less, (old deed says South 79 degrees 20 minutes West 200 feet to the beginning) to the beginning.

Said property is subject to two easements more particularly described in Deed Book 378, Page 295 and Deed Book 385, Page 532, Cumberland County Registry.

TRACT TWO: BEGINNING at a point in the western property line of the Inland Port property (see Deed Book 378, Page 161, Cumberland County Registry) said point located South 05 degrees 40 minutes West 50.28 feet from the northwestern corner of said Inland Port property; thence South 89 degrees 37 minutes West 425.98 feet to a point; thence with a curve to the right having a radius of 157.40 feet, an arc distance of 90.45 feet to a point (said point being in the eastern line of a 10 foot strip of land reserved herewith for the future widening of South King Street); thence North 10 degrees 29 minutes West 67.65 feet parallel to existing right-of-way of South King Street to a point; thence with a curve to the left having a radius of 117.40 feet; an arc distance of 114.90 feet to a point; thence North 89 degrees 37 minutes East 430.22 feet to a point; in the western property line of the Inland Port tract, said point being South 05 degrees 40 minutes West about 10 feet from the northwestern corner of the Inland Port property (see Deed 378/161, Cumberland County Registry); thence with the western line of the Inland Port property South 05 degrees 40 minutes West 40.22 feet to the beginning.

For reference, see the first right-of-way in Deed 385/472, Cumberland County Registry.

The sale of tract two was authorized by the Fayetteville City Council on November 22, 1982 subject to the following conditions:

1. That the right-of-way be kept opened and maintained as a private street solely for the use and benefit of the abutting property owners, and that it not be deemed a publicly dedicated street;
2. That the purchasers be responsible for the maintenance of said right-of-way and that no abutting property owner shall be assessed for any cost of maintenance without their prior consent.

(Continued on Reverse Side)

The above land was conveyed to Grantor by Hal Worth, et al. See Book No. 385, Page 472.  
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 ~~for ever~~.  
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.

ATTEST, <u>Maurice W. Downs</u> (SEAL)	CITY OF FAYETTEVILLE (SEAL)
<u>Maurice W. Downs</u> , City Clerk (SEAL)	By <u>John W. Hurley</u> (SEAL)
	<u>John W. Hurley</u> , Mayor (SEAL)

STATE OF NORTH CAROLINA, Cumberland COUNTY.  
I, Pamela F. Trask, a Notary Public of said County, do hereby certify that Maurice W. Downs personally came before me this day and acknowledged that he is City Clerk of the City of Fayetteville, a municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by himself as its City Clerk.  
Witness my hand and notarial seal, this the 3rd day of December, 1982.  
My Commission Expires: November 25, 1986 Pamela F. Trask N.P. (SEAL)

STATE OF NORTH CAROLINA \_\_\_\_\_ COUNTY.  
I, \_\_\_\_\_, a Notary Public of said County, do hereby certify that \_\_\_\_\_  
Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.  
Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
My Commission Expires: \_\_\_\_\_, N.P. (SEAL)

STATE OF NORTH CAROLINA, CUMBERLAND COUNTY.  
The foregoing certificate of Pamela F. Trask, a Notary Public  
is (and) certified to be correct. This instrument was presented for registration this 13 day of December, 1982  
at 3:25 P.M. and duly recorded in the office of the Register of Deeds of CUMBERLAND County, North Carolina, in Book 2897, Page 315.  
This the 13 day of December, A.D., 1982  
Marion Clark Register of Deeds By Joanita L. Wellburn Assistant, Deputy Register of Deeds

NO REVENUE

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Paid  
L. W. Johnson  
3226 Wayne Drive  
City 28503

725  
Warranty Deed  
City of Fayetteville  
TO  
Jon Fitchett and  
Walter L. Folsom  
Consideration . . . . \$1.00 OVC  
Dated 1st day of December 1982

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