

Revenue Stamps \$ 2.00

## DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Michelle Winston CHECKED BY Tina Davis

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

RETURN TO: Colliers Engineering & Design  
Attn: Tina Davis  
5275 Parkway Plaza Blvd.  
Charlotte, NC 28217

NORTH CAROLINA  
COUNTY OF Wake  
TAX PARCEL 0204982

TIP/PARCEL NUMBER: BP5.C001 004  
WBS ELEMENT: BP5.C001.2  
ROUTE: Replace Culvert 358 on SR 1160  
(Olive Chapel Road) over Beaver  
Creek

THIS FEE SIMPLE DEED, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_ 20 25  
by and between The Town of Apex, a North Carolina Municipal Corporation  
PO Box 250  
Apex, NC 27502

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 \$ \*\*525.00\*\* 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 White Oak Township, Wake County, North Carolina, which is particularly described as follows:

**Point of beginning being S 83°42'45" W, 724.77 feet from monument "910358-1" having North Carolina State Plane coordinates (NAD83) of Northing 723372.51, Easting 2035101.60; thence along a curve 41.981 feet and having a radius of 1524.448 feet. The chord of said curve being on a bearing of N 82°10'57" E, a distance of 41.98 feet thence to a point on a bearing of S 07°01'43" E 20.00 feet; thence to a point on a bearing of S 71°30'26" W 84.04 feet; thence to a point on a bearing of S 81°23'37" W 31.04 feet; thence to a point on a bearing of N 28°42'17" W 37.27 feet; thence to a point on a bearing of N 81°23'37" E 85.21 feet; returning to the point and place of beginning. Having an area of approximately 0.083 acres.**

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 Wake County Registry in Deed Book 10872 Page 730.

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 # BP5.C001.2 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

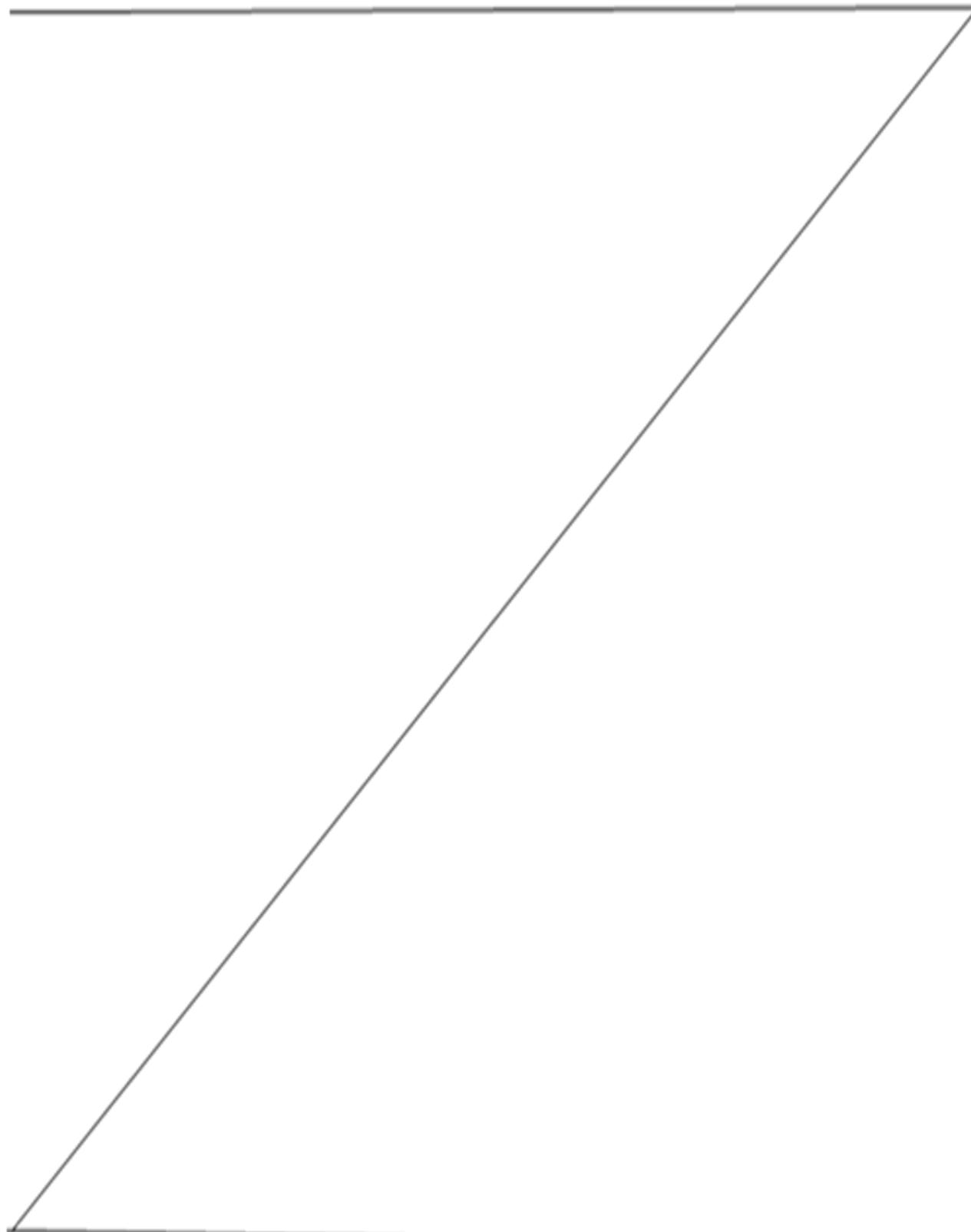
COUNTY: Wake WBS ELEMENT: BP5.C001.2 TIP/PARCEL NO.: BP5.C001 004

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 # BP5.C001.2,  
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.**

---



COUNTY: Wake WBS ELEMENT: BP5.C001.2 TIP/PARCEL NO.: BP5.C001 004

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.

**The Town of Apex, a North Carolina Municipal Corporation**

BY: \_\_\_\_\_  
(**TITLE**)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: \_\_\_\_\_

(Official Seal)	North Carolina, _____ County I, _____, a Notary Public for _____ County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that he/she is <b>(Title)</b> of <b>The Town of Apex, a North Carolina Municipal Corporation</b> and that he/she, as president, being authorized to do so, executed the foregoing on behalf of the corporation. Witness my hand and official seal this the _____ day of _____, 20 _____.  _____ Notary Public My commission expires: _____