

FILED
CHATHAM COUNTY
REBA G. THOMAS
REGISTER OF DEEDS

FILED Oct 20, 2004
AT 11:05:28 am
BOOK 01136
START PAGE 1083
END PAGE 1084
INSTRUMENT # 13539

Excise Tax: \$ _____
Mail after recording to: Grantees at P.O. Box 513, Hillsborough, NC 27278
This instrument was prepared by: Paul S. Messick, Jr., Attorney at Law, Pittsboro, NC

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this _____ day of _____, 2004 between EARL J. BYRD, HARRY E. BYRD and wife, PATRICIA JEAN F. BYRD; and NETTIE LEWIS BYRD PENDERGRAFT, unmarried, hereinafter referred to as GRANTOR; and EARL J. BYRD and wife, JANE S. BYRD hereinafter referred to as GRANTEE. The designation Grantor and Grantee as used herein shall include parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH

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 Williams Township, Chatham County, North Carolina and more particularly described as follows:

All of Lot 2B containing 8.057 acres, more or less, according to plat entitled "Survey for Earl J. Byrd and Jane S. Byrd Harry E. Byrd and Patricia Jean F. Byrd Nettie Lewis Byrd Pendergraft" prepared by Van R. Finch - Land Surveys, PA dated August 5, 2004 and recorded in Plat Slide 2004-267, Chatham County Registry, reference to which is hereby made for a more particular description.

There is also granted and conveyed herewith perpetual and non-exclusive easements for purposes of ingress, egress, and regress and for the installation, use, repair, and maintenance of utilities over and across the premises denominated as "70' Private Easement" on the plat referred to herein leading from NC Highway 751 to subject property and the easements heretofore reserved by deed recorded in Book 449, Page 187, Chatham County Registry.

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.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 381, Page 684 of the Chatham County Registry.

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

1. Overhead power lines depicted upon the recorded plat.
2. Right of way of SR 1755.
3. Easements for ingress, egress, and regress and utilities are reserved in favor of Lot 2C over and across that portion of subject property within the easement premises denominated as "70' Private Easement" on the plat referred to therein.
4. Easements and restrictions of record.

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

Earl J. Byrd (SEAL)
EARL J. BYRD

Nettie Lewis Byrd Pendergraft (SEAL)
NETTIE LEWIS BYRD PENDERGRAFT, unmarried

Harry E. Byrd (SEAL)
HARRY E. BYRD

Patricia Jean F. Byrd (SEAL)
PATRICIA JEAN F. BYRD

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, a Notary Public of ORANGE County and the State aforesaid, certify that EARL J. BYRD, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 4 day of 10, 2004.

My Commission Expires: 3/17/04


Alvin M. Horne, Jr.
NOTARY PUBLIC
ALVIN M. HORNE, JR
NOTARY PUBLIC
ORANGE COUNTY, NC

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, a Notary Public of Orange County and the State aforesaid, certify that HARRY E. BYRD and wife, PATRICIA JEAN F. BYRD, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 7th day of October, 2004.

My Commission Expires: July 27, 2009

Cindy K Jordan
NOTARY PUBLIC


STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, a Notary Public of ORANGE County and the State aforesaid, certify that NETTIE LEWIS BYRD PENDERGRAFT, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 4 day of 10, 2004.

My Commission Expires: 3/17/04

Alvin M. Horne, Jr.
NOTARY PUBLIC
ALVIN M. HORNE, JR
NOTARY PUBLIC
ORANGE COUNTY, NC

Chatham County, North Carolina
REBA G. THOMAS Register of Deeds
The foregoing certificate(s) of
ALVIN M HORNE JR
CINDY K JORDAN

notary/notaries public
is/are certified to be correct.
Reba G. Thomas
Assistant - Register of Deeds

STATE OF
 NORTH
 CAROLINA
 DEC 19 1981
 REAL ESTATE
 EXCISE TAX
 \$ 50.00
 H. 10698

Prepared by/Return to: Dalton H. Loftin, Attorney at Law

Book 449 Page 187

NORTH CAROLINA

ORANGE COUNTY

THIS DEED, made and entered into this the 10th day of December, 1981, by and between EARL J. BYRD, Attorney in Fact for CONNIE EARL BYRD (widower) party of the first part and ERLE GORDON HILL and wife, BARBARA WALKER HILL, Route 2, Box 22A, Apex, North Carolina, 27502, party of the second part, WITNESSETH: That the said party of the first part, in consideration of the sum of TEN DOLLARS and other good, valuable and sufficient considerations, paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party of the second part and his heirs and assigns subject to the easement rights herein reserved all that certain tract or parcel of land in Williams Township Chatham County, North Carolina, and more particularly described as follows:

BEGINNING at an existing iron stake in the new West right of way line of N.C. Highway #751, said point being at or near the corner of the F. D. Bayes and D. D. Frazee property as shown on the plat hereinafter referred to; thence from said beginning point along the North line of said property North 88° 26' 46" West 532.72 feet to another existing iron stake; thence continuing North 88° 26' 46" West 130.00 feet to an iron stake set at a new corner; thence a new line with the property of C. E. Byrd North 01° 12' 13" East 181.17 feet to an existing iron stake at the Southwest corner of U. S. Government Property as shown on said plat, said iron stake being a control monument; thence along the South line of said Government property as follows: North 87° 19' 15" East 113.95 feet to an existing iron stake and North 87° 19' 15" East 281.97 feet to an existing iron stake; thence continuing North 87° 45' 57" East 179.71 feet to an existing iron stake in the new West right of way line of said N.C. Highway #751, said point being at or near the Southeast corner of the said U. S. Government Property; thence along said right of way line South 2° 25' 03" East 239.67 feet to the beginning point, containing 2.89 acres (inclusive of and subject to the private 60-foot wide easement reserved for future access as shown on said plat) according to plat of survey by William O. Yates, Registered Land Surveyor, dated November 5, 1981 entitled "PROPERTY OF C. E. BYRD".

This conveyance is made subject to and the party of the first part does hereby reserve unto himself, his heirs, executors, administrators and assigns a permanent and perpetual easement for ingress, egress, regress and all utility purposes over, upon and through the 60-foot wide easement area shown on said plat, which easement area is located immediately adjacent to and North of the South line of the said 2.89 acre parcel conveyed herein, it being understood that said easements and rights herein reserved shall henceforth be appurtenant to and shall run with the title to all of the remaining C. E. Byrd property situated West of the property herein conveyed.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and his heirs and assigns in fee simple forever, except as set forth above.

And the said party of the first part does covenant that he is seized of said premises in fee simple and has the right to convey the same in fee simple; that

Book 449 Page 188

the same are free from encumbrances except as set forth above; and that he will warrant and defend the said title to the same against the claims of all persons whomsoever.

Wherever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may indicate.

IN TESTIMONY WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

CONNIE EARL BYRD

Connie Earl Byrd
By: *Earl J. Byrd* ATTORNEY-IN-FACT (SEAL)
EARL J. BYRD, Attorney in Fact

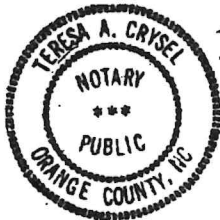
NORTH CAROLINA

ORANGE COUNTY

I, TERESA A. CRYSEL, a Notary Public for said County and State, do hereby certify that Earl J. Byrd, attorney in fact for Connie Earl Byrd, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing and annexed instrument for and in behalf of the said Connie Earl Byrd, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the office of Register of Deeds in the County of Orange, State of North Carolina, on the 20th day of January, 1978, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney.

I do further certify that the said Earl J. Byrd acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Connie Earl Byrd.

Witness my hand and official seal, this 17th day of DECEMBER, 1981.



Teresa A. Crysel
NOTARY PUBLIC

My Commission Expires:

7-19-86

NORTH CAROLINA, CHATHAM COUNTY

The foregoing certificate(s) of Teresa A. Crysel, a Notary

is (are) certified

to be correct. This instrument was presented for registration at 4:10 o'clock P.M., on December 17

19 81, and recorded in Book 449, Page 187.

FLEET BARBER REDDISH
Register of Deeds
ORANGE COUNTY, NC

By: *Margaret C. Baker*
Assistant/Deputy