

STATE OF NORTH CAROLINA
DURHAM COUNTY

DECLARATION OF
WITHDRAWAL FROM DEDICATION

THIS DECLARATION OF WITHDRAWAL FROM DEDICATION is made this 31 day of March, 2000 by BARBEE ROAD ASSOCIATES, LLC, a North Carolina limited liability company.

WITNESSETH:

WHEREAS, a certain plat (the "Plat") entitled "Plat of Roxanna Green Estate" prepared by E. C. Belvin dated August 3, 1921 which now appears in Plat Book 3, Page 83, at Plat Book 3, Page 180A, and at Plat Book 3, Page 180B, Durham County Registry; and

WHEREAS, the Plat shows a road (the "Road") entitled "New Road 16 Feet Wide"; and

WHEREAS, the Road has never actually been opened or used by the public although more than fifteen (15) years have elapsed since the making and filing of the Plat; and

WHEREAS, under Section 136-96 of the General Statutes of North Carolina, the unopened portions of the Road is conclusively presumed to have been abandoned by the public for the purposes for which the Road might have been dedicated by the filing of the Plat; and

WHEREAS, it is intended that this instrument shall operate as a dedication of withdrawal of those parts or pieces of land shown as the Road located upon any portion of that certain parcel more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the undersigned is the owner of the property adjoining the Road; and

WHEREAS, no portion of the Road is necessary to afford the ingress to any lot or parcel; and

WHEREAS, the undersigned desires to withdraw the Road from dedication pursuant to North Carolina General Statutes Section 136-96.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned does hereby file and cause to be recorded in the office of the Register of Deeds of Durham County, this Declaration, hereby withdrawing the Road from all public or private use to which it has heretofore been offered or dedicated, if any, and does hereby exercise in full all the rights and powers conferred by Section 136-96 with reference thereto.

NGHK:136040.1

FOR REGISTRATION WILLIE L. COVINGTON
REGISTER OF DEEDS
DURHAM COUNTY, NC
2000 APR 13 01:12:13 PM
BOOK: 2015 PAGE: 418-421 FEE: \$12.00
INSTRUMENT # 2000012595

IN WITNESS WHEREOF, this instrument has been executed under seal by the undersigned Manager of Barbee Road Associates, LLC this the 31 day of March, 2000.

BARBEE ROAD ASSOCIATES, LLC (SEAL)

By: *William F. Spang*
William F. Spang, Manager

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, a Notary Public of the County and State aforesaid, certify that WILLIAM F. SPANG, Manager of BARBEE ROAD ASSOCIATES, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the execution of the foregoing instrument on behalf of the company.

Witness my hand and official stamp or seal, this 13 day of April, 2000.

D. Kenneth Bagwell, Jr.
Notary Public

My Commission Expires: May 2, 2000

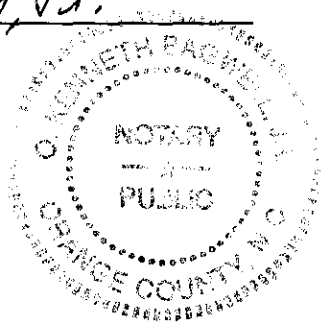
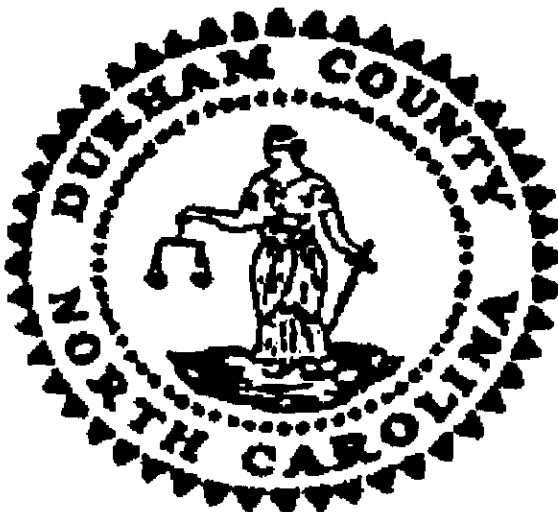


EXHIBIT A

BEGINNING at an existing iron pipe on the east side of Barbee Road (SR 1106 - a 60 foot right-of-way) at the southwest corner of property now or formerly owned by Joseph E. Perkins running thence with the south line of said property North 89° 55' 37" East 198.59 feet to an iron pipe; thence with the south line of the property now or formerly owned by Oscar Suratte South 87° 02' 58" East 338.74 feet to an iron pipe, a corner of the Bluestone Estates Subdivision; thence with various lines of the Bluestone Estates Subdivision, the following courses and distances: North 89° 14' 33" East 647.19 feet to a point; South 89° 27' 52" East 261.82 feet to an iron pipe; South 0° 02' 06" East 869.90 feet to an iron pipe; South 87° 52' 41" East 615.56 feet to an iron pipe; South 87° 51' 33" East 493.26 feet to an iron pipe; and South 88° 01' 18" East 307.98 feet to an iron pipe; thence South 24° 40' 43" West 556.27 feet to a point; thence South 45° 21' 07" West 130.33 feet to a point; thence South 24° 04' 44" West 363.02 feet to a point; thence South 0° 23' 05" West 217.67 feet to a point; thence South 17° 41' 27" East 214.55 feet to a point; thence North 62° 29' 38" East 358.06 feet to an iron pipe at the northwestern corner of Lot 8 of Meridian Business Campus; thence South 35° 17' 10" East 82.84 feet to a point; thence South 14° 30' 11" East 278.47 feet to a point; thence South 16° 50' 21" East 98.16 feet to a point; thence South 06° 43' 16" East 105.36 feet to a point; thence South 14° 06' 34" East 65.12 feet to a point; thence South 89° 31' 45" West 324.52 feet to an iron pipe; thence South 28° 47' 40" West 313.30 feet to an iron pipe; thence South 89° 45' 28" West 1123.71 feet to a point in the center line of a 68 foot Duke Power easement; thence with the center line of said easement North 66° 55' 42" West 1552.04 feet to a point; thence North 89° 50' 01" West 547.36 feet to a point in the eastern right-of-way line of Barbee Road; thence with the eastern right-of-way line of Barbee Road North 07° 31' 39" West 252.38 feet to a point; thence South 89° 36' 41" East 334.57 feet to a point; thence North 0° 33' 41" West 338.04 feet to an iron pipe; thence North 0° 34' 28" West 312.73 feet to a point; thence South 89° 25' 40" West 410.93 feet to a point in the eastern right-of-way line of Barbee Road; thence along and with the eastern right-of-way line of Barbee Road the following courses and distances: along a clockwise arc in a northerly direction a distance of 207.03 feet to a point; along a clockwise arc in a northerly direction a distance of 214.72 feet to a point; along a clockwise arc in a northeasterly direction a distance of 223.14 feet to a point; North 40° 40' 29" East 257.12 feet to a point; along a counterclockwise arc in a northeasterly direction a distance of 376.04 feet to a point; and North 25° 02' 36" East 429.32 feet to an iron pipe, the point of BEGINNING, containing 171.04 acres, more or less, and being that property shown on plat entitled the C.M. Herndon Estate Boundary Survey by the John R. McAdams Company dated August 13, 1999, to which plat reference is hereby made for a more particular description.

This property is subject to a portion of a 68 foot Duke Power Company easement and also subject to those City of Durham sanitary sewer easements as shown on the plat.





WILLIE L. COVINGTON
REGISTER OF DEEDS , DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

Filed For Registration: 04/13/2000 01:12:13 PM
Book: RE 2815 Page: 418-421
Document No.: 2000012595
DECL 4 PGS \$12.00

Recorder: CAROL JENKINS

State of North Carolina, County of Durham

The foregoing certificate of O KENNETH BAGWELL JR Notary is certified to be correct. This 13TH of April 2000

WILLIE L. COVINGTON , REGISTER OF DEEDS By:

Carol Jenkins

Deputy/Assistant Register of Deeds



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