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PT REC-003-006-000

STATE OF NORTH CAROLINA
COUNTY OF NEW HAMOVER

DECLARATION OF WITHDRAWAL

Whereas, N. C. Gen. Stat. Sec. 136-96 provides that any strip, piece, or parcel of land which shall have been at any time dedicated to public use as a road, highway, street, avenue, or for any other purpose whatsoever, by a deed, grant, map, plat, or other means, which shall not have actually been opened and used by the public within fifteen years from and after the dedication thereof, shall be thereby conclusively presumed to have been abandoned by the public for the purpose for which the same shall have been dedicated; and

Whereas, J.A. Loughlin caused a map entitled "Greenville Sound Estates", dated June 3, 1922, to be recorded in Map Book 2, Page 61 of the New Hanover County Registry, which map was recorded on June 7, 1922.

Whereas, by subsequent conveyances, Greenville Sound Land Company became the owner of all of the lots shown on the above described map, and thereafter never conveyed any land by reference to said map; and

Whereas, the above map shows a twenty-five foot wide road; and

Whereas, the part of said road which is depicted on said map as passing over a tract described in a deed to Peggy P. Rice Gore dated December 9, 1987, and recorded in Book 1399, Page 1389 of the New Hanover County Registry, has never been opened or used by the public; and

Whereas, more than fifteen years has passed since the above map was recorded; and

Whereas, the said part of said road is not necessary to afford convenient ingress and egress to any lot or parcel of land shown on the above described map; and

Whereas, the undersigned Peggy Rice Gore is the present owner of the said tract over which a portion of said road is depicted on the above map, pursuant to a deed recorded in Book 1399, Page 1389 of the New Hanover County Registry, and the

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undersigned Wheel Estates, Inc., is the successor to Greenville Sound Land Company; and

Whereas, the undersigned desire to withdraw the said portion of said road over the tract owned by Peggy Rice Gore from dedication, pursuant to N.C. Gen. Stat. Sec. 136-96.

Now, therefore, the undersigned do hereby declare that the portion of said road lying within the boundaries of the following described tract be, and the same hereby is withdrawn from dedication pursuant to N.C. Gen. Stat. Sec. 136-96.

BEGINNING at a new iron pipe in a line that is 1.47 feet northward at right angles from and parallel to the northern line of the lot described in Deed Book 806, Page 782, New Hanover County Registry, at its intersection with the eastern line of a 40-foot roadway easement, said point being located south 34 degrees 14 minutes 31 seconds west 149.70 feet as measured with said eastern line from its intersection with the southern line of the now or formerly Intercontinental Trimarans, Inc., tract described in Deed Book 787, Page 188, New Hanover County Registry, last said intersection located north 64 degrees 05 minutes west 196.33 feet as measured with said southern line from the iron pipe at the southernmost corner of said tract; running thence from said Beginning with said line parallel to the northern line of said tract described in Book 806, Page 782, south 64 degrees 05 minutes east 190.39 feet to a new iron pipe; thence continuing south 64 degrees 05 minutes east 34.3 feet to the face of a bulkhead at the high water line of Greenville sound; thence with said high water line southwest 120 feet more or less to the northern line of the lot described in a deed recorded in Book 947, Page 34 of said Registry; thence with said northern line north 64 degrees 50 minutes 20 seconds west 20 feet more or less to an existing iron pipe (said existing iron pipe located south 29 degrees 22 minutes 16 seconds west 103.84 feet from the last said new iron pipe); thence continuing with said northern line north 64 degrees 50 minutes 20 seconds west 199.35 feet to the northernmost corner of said lot described in said deed recorded in Book 947, Page 34 of said Registry, in the eastern line of the lot described in a deed recorded in Book 1147, Page 1206 of said Registry; thence with said eastern line north 25 degrees 07 minutes 11 seconds east 2.06 feet to its easternmost corner and the southernmost corner of the above said 40-foot roadway easement; thence with the eastern line of said 40-foot easement north 34 degrees 14 minutes 31 seconds east 105.36 feet to the Point of BEGINNING. Being the same property described in a deed to Peggy P. Rice Gore, dated December 9, 1987, and recorded in Book 1399, Page 1389 of the New Hanover County Registry.

IN WITNESS WHEREOF, the said Peggy Rice Gore has hereunto set her hand and seal, and Wheel Estates, Inc., has caused this instrument to be executed in its corporate name by its President, attested by its Secretary, and its corporate seal to be hereunto

affixed, pursuant to authority duly given by its board of directors, all as of the 16th day of February, 1994.



Peggy Rice Gore (SEAL)
Peggy Rice Gore

WHEEL ESTATES, INC.

By: [Signature]
President

ATTEST:

[Signature]
Secretary

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STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Mary Catharine Zimmerman, a Notary Public of New Hanover County, North Carolina, do hereby certify that PEGGY RICE GORE (widow) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 7th day of February, 1994.



Mary Catharine Zimmerman
Notary Public

My commission expires: 11-25-96

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public of New Hanover County, North Carolina, certify that Brenda H. Towles personally came before me this day and acknowledged that she is the Secretary of WHEEL ESTATES, INC., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

Witness my hand and notarial seal, this the 17th day of February, 1994.

Cheryl A. Ball
Notary Public

My commission expires: 11-18-98



STATE OF NORTH CAROLINA
New Hanover County

The foregoing Acknowledgements of Mary Catharine Zimmerman and Cheryl A. Ball

Notary Notarized herein is acknowledged to be correct

To the 10 day of March, 1994

[Signature]
Deputy