

STATE OF NORTH CAROLINA :

COUNTY OF NEW HANOVER :

DECLARATION BY JOSEPHINE :
JANICKI RUSHER SUCCESSOR :
IN TITLE AS TO THE PROPERTY :
HEREIN DESCRIBED OF THE SHORE :
ACRES COMPANY :

DECLARATION

THIS DECLARATION, Made this 23rd day of July, 1968, by JOSEPHINE JANICKI RUSHER, of the County of New Hanover, State of North Carolina;

WITNESSETH:

That, WHEREAS, JOSEPHINE JANICKI RUSHER is the successor in title to the SHORE ACRES COMPANY, by virtue of a deed from SHORE ACRES COMPANY dated March 1, 1968, and recorded July 11, 1968, in Book 836, at Page 413, in the office of the Register of Deeds of New Hanover County, to a tract of land described as follows:

BEGINNING at a point in the northern line of Oceanic Causeway, said point being the South-westerly corner of Lot 1 according to a map of Shore Acres Development No. 2, recorded in Map Book 3, at Page 1, in the office of the Register of Deeds of New Hanover County, running thence in a westerly direction along the Northern line of Oceanic Causeway 30 feet; thence in a Northerly direction and at right angles to Oceanic Causeway and along the Easterly line of a lot formerly known as Lot 166 according to a map of Shore Acres Development No. 1, recorded in Map Book 2, at Page 105, in the office of the Register of Deeds of New Hanover County, a distance of 90 feet; thence in an Easterly direction and parallel to Oceanic Causeway 30 feet to the northwestern corner of Lot #1, according to map recorded in Map Book 3, at Page 1, in the office of the Register of Deeds of New Hanover County; thence in a Southerly direction with and along the Western line of Lot 1, 90 feet to the point of beginning.

That, WHEREAS, by map duly recorded in the office of the Register of Deeds of New Hanover County in Map Book 3, at Page 1, the tract of land hereinbefore described was designated as a street or open way; and,

WHEREAS, the recording of said map on July 1, 1929, affected a dedication of said lands for public use; and,

WHEREAS, since the recording of said map or plat and for

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more than twenty years and since the recording of said map or plat on the 1st day of July, 1929, the area heretofore described in this declaration and shown upon said map in Map Book 3, at Page 1, has not been subjected by the public, or any member thereof, to use as a street or way or for any other purposes, nor has the public nor any member thereof claimed the right to use the area above described for any purpose, public or private, and there being now no necessity nor any public or private benefit to be derived from the dedication of the area aforesaid; and

WHEREAS, neither the public nor any member thereof will suffer any injury or loss by the withdrawal of the said area from public or private use to which it may be claimed to have been dedicated by the recording of and reference to said map or plat as heretofore referred to;

NOW, THEREFORE, on this the 23rd day of July, 1908, JOSEPHINE JANICKI RUSHER as successor in title, as to the property set forth in this declaration, of the Shore Acres Company, hereby makes declaration withdrawing the tract described herein and referred to in this declaration as having been dedicated to public use from such private or public use for which it may have been heretofore dedicated by the recording of the map and plat of the Shore Acres Company referred to in this declaration, under and by virtue of the terms and provisions of the General Statutes of North Carolina, Chapter 130, Section 90.

IN WITNESS WHEREOF, JOSEPHINE JANICKI RUSHER has hereunto set her hand and affixed her seal, this day and year first above written.

Josephine Janicki Rusher (SEAL)
Josephine Janicki Rusner

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STATE OF NORTH CAROLINA :

COUNTY OF NEW HANOVER :

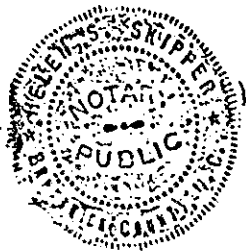
I, HELEN S. SKIPPER, a Notary Public in and for the State of North Carolina, County of Brunswick, hereby certify that JOSEPHINE JANICKI RUSHER personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument.

Witness my hand and notarial seal, this ^{7th} 25 day of July, 1968.

Helen S. Skipper
Notary Public

My Commission expires:

Oct. 28, 1969



State of North Carolina
County of New Hanover

The foregoing certificate of Helen S. Skipper, A Notary Public of ~~XXXX~~Brunswick ~~XXXXXX~~County, N.C. is certified to be correct.

This the 25th day of July, 1968.

Drawn by Carr & Swalls, Attys.

Lols C. Le Ray,
Register of Deeds

By *Lisa M. Holland*, Deputy.

Received and Recorded
July 25, 1968 at 2:30 P. M.

Lols C. Le Ray
Register of Deeds