

INDEXED TO RECORD

BOOK 945 PAGE 540

AUG 8 1 19 PM '72

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

DECLARATION OF WITHDRAWAL

WILMINGTON, N. C.

THIS DECLARATION OF WITHDRAWAL, made this 27th day of July, 1972, by A & M COMPANY, INC., a North Carolina corporation with its principal offices in Wilmington, North Carolina, IRMA BELL SCHNEIDER, (widow), of the County and State aforesaid and JIM PERRY GURGANUS and wife Patricia GURGANUS, of said County and State aforesaid, and OTIS W. TAYLOR, SR., and wife, W. FAY TAYLOR of Fulton County, State of Georgia.

W I T N E S S E T H:

THAT WHEREAS, A & M COMPANY, INC., JIM PERRY GURGANUS, and wife, Patricia A. GURGANUS and IRMA BELL SCHNEIDER (widow) and OTIS W. TAYLOR, SR., and wife, W. FAY TAYLOR, are owners of all of those certain tracts or lots of land in the subdivision known as "Subdivision for Harry Sallings on Pages Creek, New Hanover County, N. C.", a map of which is recorded in Map Book 2, at Page 67, in the Office of the Register of Deeds of New Hanover County; and

WHEREAS, said recorded map shows a strip or area of land designated as a "15' roadway" and running at approximately right angles to said "15' roadway" is another strip or area designated as "20' reserved for road"; and

WHEREAS, the recording of said map on February 22, 1924, in Map Book 2, at Page 67, of the New Hanover County Registry effected a dedication of said lands for public use; and

WHEREAS, since the recording of said map or plat and for more than Twenty (20) years the area shown and designated

LAW OFFICES
BURNEY, BURNEY, SPERRY, BAREFOOT & SCOTT
110 NORTH FIFTH AVENUE - POST OFFICE BOX 1741
WILMINGTON, N. C. 28401

15

on said map as a "15' roadway" and "20' reserved for road" have 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 areas 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 areas designated on said map as aforesaid; and

WHEREAS, neither the public nor any member thereof will suffer any injury or loss by the withdrawal of the said areas designated on the map recorded as aforesaid, as a "15' roadway" and "20' reserved for road" 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, KNOW ALL MEN BY THESE PRESENTS, that on this 27th day of July, 1972, A & M COMPANY, INC., IRMA BELL SCHNEIDER, (widow), and JIM PERRY GURGANUS and wife PATRICIA ANN GURGANUS, OTIS W. TAYLOR, SR., and wife, W. FAY TAYLOR, the owners in fee of all of the lots and tracts in the "Subdivision for Harry Sallings on Pages Creek" as shown on the map of said subdivision recorded in Map Book 2 at Page 67 in the Office of the Register of Deeds of New Hanover County, do hereby make, execute, deliver and file this Declaration of Withdrawal and do hereby withdraw any and all areas designated on said map as roadways or areas reserved for roads and referred to in this declaration as having been dedicated to public use, from such private or public use for

which they may have been heretofore dedicated by the recording of the plat and map of the Harry Sallings Subdivision heretofore referred to, all in accordance with and pursuant to the provisions of the General Statutes of North Carolina, Chapter 136, Section 96, as amended.

IN WITNESS WHEREOF, the said A & M COMPANY, INC., has caused this instrument to be signed in its corporate name by its _____ President, attested by its _____ Secretary and sealed with its corporate seal, and the said IRMA BELL SCHNEIDER (widow) and JIM PERRY GURGANUS and wife PATRICIA ANN GURGANUS and OTIS W. TAYLOR, SR., and wife W. FAY TAYLOR, having hereunto set their hands and seals, all the day and year first above written.



A & M COMPANY, INC.

Allen N. Frank
BY: _____
President

Patricia Ann Gurganus
Jim Perry Gurganus
Irma Bell Schneider (SEAL)
W. Fay Taylor (SEAL)
Otis W. Taylor (SEAL)



I, Barbara B. McHenry Notary Public in and for the state and county aforesaid, certify that Allen N. Grant, Jr. personally appeared before me this day and acknowledged that he is the Secretary of A & M COMPANY, 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 him self as its Secretary.

WITNESS my hand and seal, this 26th day of July, 1972.

Barbara B. McHenry
NOTARY PUBLIC

My Commission Expires:

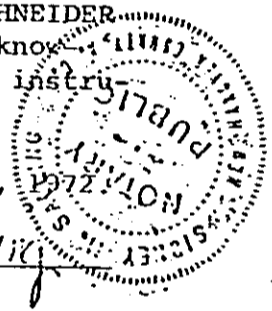
2/28/75

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Sidney M. Salling, Notary Public in and for the state and county aforesaid, certify that IRMA BELL SCHNEIDER (widow) personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein approved.

WITNESS my hand and seal, this 27th day of July,

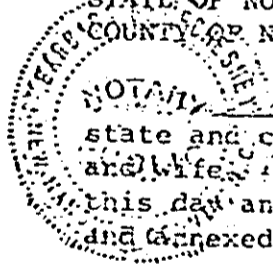
Sidney M. Salling
NOTARY PUBLIC



My Commission Expires:

Jul. 9, 1976

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER



I, Barbara B. McHenry Notary Public in and for the state and county aforesaid, certify that JIM PERRY GURGANUS and wife Elizabeth GURGANUS, personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein approved.

WITNESS my hand and seal, this 26th day of July, 1972.

Barbara B. McHenry
NOTARY PUBLIC

My Commission Expires:

2/28/75

STATE OF GEORGIA ^{BOOK 945 PAGE 543 1/2}
North Carolina
COUNTY OF FULTON *New Hanover*

I, Sidney M. Salling Notary Public in and for the state and county aforesaid, certify that OTIS W. TAYLOR, ~~EX.~~, and wife, W. FAYE TAYLOR, personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein approved.

WITNESS my hand and seal, this 27th day of July, 1972

Sidney M. Salling
NOTARY PUBLIC



My Commission Expires:

Feb. 9, 1976

STATE OF NORTH CAROLINA, New Hanover County
The foregoing Certificate ^S of Sidney M. Salling & Barbara B. McChesney,
Notaries Public are XX certified to be correct.
This the 8 day of August, A. D., 1972

Drawn By BBS&B

Lois C. LeRay, Register of Deeds
By James B. Linsen, Deputy

[5]

Received and Recorded
August 8, 1972 at 1:19 P M.
Lois C. LeRay
Register of Deeds