

Melanie Arthur 4P  
CARTERET COUNTY  
JL Date 10/03/2005 Time 16:28:00  
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NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

Melanie Arthur, Register of Deeds  
By *[Signature]*  
Kest/Chasity, Register of Deeds

✓  
RHO: KHW

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

WARRANTY DEED

Parcel # 6375.16.92.4731  
Parcel # 6375.16.93.4347  
Parcel # 6375.16.93.3481  
Parcel # 6375.16.92.1938  
Parcel # 6375.16.93.9236

THIS DEED, made this the 3<sup>rd</sup> day of October, 2005, by Town of Atlantic Beach, A  
Municipal Corporation hereinafter called "GRANTOR," to FMB of Atlantic Beach, LLC  
whose address is 2231 Nash Street NW, Suite D, Wilson, NC 27896-1783, hereinafter  
called "GRANTEE;"

WITNESSETH THAT:

GRANTOR, for TEN DOLLARS (\$10.00) and other valuable consideration, hereby  
acknowledged as paid and received, has bargained and sold, and by these presents does  
grant, bargain, sell and convey (subject to limitations, conditions, and provisions - if any -  
listed below) to GRANTEE, their heirs and assigns, certain land described as follows:

NORTH CAROLINA    CARTERET COUNTY    MOREHEAD TOWNSHIP

Tract I - "Pavillion Property"

Beginning at a PK nail which is located the northwest corner of Lot 19, as shown on that  
map recorded in Map Book 2, Page 21, Carteret County Registry, from said point and place  
of beginning run thence with the southern right of way of Atlantic Boulevard, S 88° 10' 40" E,  
213.04 feet to PK nail at the northwest corner of an alley, as shown on the above referenced  
map; thence with the western line of the alley, S 01° 49' 20" W, 180.00 feet to a PK nail set  
in the boardwalk; run thence with the boardwalk, N 88° 10' 40" W, 169.05 feet to a point;  
thence N 01° 49' 20" E, 27.00 feet to a point; thence N 88° 10' 40" W, 44.00 feet to a point  
located in the eastern line of a 16 foot boardwalk shown on the above referenced map;  
thence with the eastern line of the boardwalk N 01° 49' 20" E, 153.00 feet to the point and

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place of beginning. See survey of Boardwalk Area, Atlantic Beach, NC prepared by Herring-Sutton & Associates, P.A. dated November 2003.

The above described property being the same property conveyed to the Town of Atlantic Beach by deed recorded in Book 695, Page 130, Carteret County Registry and being subject to a 1,506 square foot encroachment easement for the purpose of installing and maintaining nitrification and drainage lines attached to a septic tank serving an adjacent property owner, said easement being recorded in Book 784, page 619, Carteret County Registry.

#### **Tract II - Underground Property**

Parcel 1: Being Lots 12, 13, 14, and 15, in Block "TT" as shown on the official Map or plan of Atlantic Beach as prepared by J. W. Pugh, Engineer, with later additions by George J. Brooks, Engineer, in July 1934, which map was duly recorded in Map Book 1, Page 131, Carteret County Registry, reference to said Map being made for greater certainty of description.

Parcel 2: Being all of Lot 16 in Block "TT" as shown on the official Map or plan of Atlantic Beach as prepared by J.W. Pugh, Engineer, with later additions by George J. Brooks, Engineer, in July 1934, as recorded in Map Book 1, Page 131, Carteret County Registry, except that the dimensions for Lot 16 are not as called for on the aforesaid map, to wit: Beginning at a point in the South edge of Bogue Boulevard West, said point being the Northeast corner of Lot 17, and running thence along the South edge of Bogue Boulevard West an easterly direction 54.3 feet to a stake; thence a Southwest direction and parallel with the line as shown on the map 112 feet to a point in the East line of Lot 17; thence a North direction along the dividing line between Lot 17 and Lot 16, 100 feet to the point or place of beginning. In other words, the North line of Lot 16 is 54.3 feet instead of 58 feet as shown on the map; the West line is 100 feet instead of 110 feet as shown on the map (the West line of Lot 16 is identical with the East line of Lot 17); and the East line of Lot 16 is 112 feet instead of 124 feet as shown on the map.

The above described property being the same property conveyed to the Town of Atlantic Beach by deed recorded in Book 695, Page 127, Carteret County Registry.

#### **Tract III - West Atlantic/West Drive**

Beginning at an "X" mark in concrete which is located at the intersection of the northern right of way line of Atlantic Boulevard West and western right of way line of West Drive; said point also being the southeast corner of Lot 16, Block "M" as shown on that map recorded in Map Book 1, Page 131, Carteret County Registry; from said point and place of beginning running thence with the northern right of way of Atlantic Boulevard West N 88° 10' 40" W, 73.94 feet to a point; thence N 01° 49' 20" E, 120.00 feet to a point in the southern line of an alley; thence with the alley, S 88° 10' 40" E, 50.00 feet to a point; thence S 01° 49' 20" W, 50.00 feet to a point; thence S 87° 48' 01" E, 98.21 feet to an iron pipe in the western right of way of West Drive; thence with the western right of way of West Drive the following three (3) courses and distances: (1) S 46° 41' 20" W, 19.55 feet; (2) S 48° 55' 20" W, 35.77 feet; (3) S 49° 33' 20" W, 46.31 feet to the point and place of beginning. See survey of Boardwalk Area, Atlantic Beach, NC prepared by Herring-Sutton & Associates, P.A. dated November 2003.

The above described property being Lots 14 through 18, Block M as shown on the plat of

Atlantic Beach recorded in Map Book 1, Page 131, Carteret County Registry, and the same property conveyed to the Town of Atlantic Beach by deed recorded in Book 695, Page 128, Carteret County Registry.

**Tract IV - Maze Location**

Beginning at a PK nail located at the southwest corner of lot 1, Block "L." Atlantic Beach, as shown on that plat recorded in Map Book 1, Page 131, Carteret County Registry, said point also being the Intersection of the northern boundary line of Atlantic Boulevard East and the eastern right of way line of East Drive; from said point and place of beginning running thence with the eastern right of way line of East Drive the following two (2) courses and distances (1) N 01° 32' 17" E, 123.33 to an iron pipe and (2) N 09° 45' 23" W, 28.74 feet; thence S 88° 36' 23" E, 150.73 feet to a point; thence S 01° 32' 48" W, 31.90 feet to a point; thence S 88° 38' 43" E, 5.59 feet to a point; thence S 01° 32' 17" W, 120.00 feet to a point in the northern right of way line of Atlantic Boulevard East; thence with the northern right of way line of Atlantic Boulevard East N 88° 28' 03" W, 150.68 feet to the point and place of beginning. See survey of Boardwalk Area, Atlantic Beach, NC prepared by Herring-Sutton & Associates, P.A. dated November 2003.

The above described property being Lots 1 through 6, Lot 36, and part of Lot 7 and 11 as shown on the plat of Atlantic Beach recorded in Map Book 1, Page 131, Carteret County Registry and the same property conveyed to the Town of Atlantic Beach by deed recorded in Book 695, Page 138, Carteret County Registry.


All of the above "Tracts" are conveyed subject to utility easements, rights of the general public and others to use the walkways, easements and access to the water, plus all other easements and restrictions of record. No title opinion was requested of nor provided by the Grantor's attorney who prepared this deed.

**TO HAVE AND TO HOLD** (subject to limitations, conditions restrictions and provisions - if any - listed above), said land, and all privileges and appurtenances thereto belonging, to GRANTEE, their heirs, successors and assigns, forever.


And GRANTOR covenants with GRANTEE that they are seized of said premises in fee and have the right to convey in fee simple; that the same are free and clear of all encumbrances (except those - if any - listed above), and that they do hereby forever warrant and will forever defend the same against the lawful claims of all whomsoever.

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

IN TESTIMONY WHEREOF, GRANTOR has signed and sealed this Deed.

  
Eddie Dawkins, Mayor  
Town of Atlantic Beach

ATTEST:

  
Sabrina Simpson, Deputy City Clerk  
Town of Atlantic Beach



STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

This 3rd day of October, 2005, Sabrina Simpson personally came before me, a Notary Public of said County and State, Sabrina Simpson, who being by me duly sworn, says that she knows the common seal of said Town of Atlantic Beach, and is acquainted with Eddie Dawkins, who is the Mayor of said Town; and that she the said Sabrina Simpson is the duly appointed and designated Deputy City Clerk of said Town, and saw the said Mayor sign the foregoing instrument, and that she the said Clerk as aforesaid, affixed the said seal to said instrument, and that she the said Clerk signed her name in attestation of the execution of said Instrument in the presence of said Mayor of said Town.

WITNESS my hand and official seal.

My Commission Expires:

7/13/08



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