

Initial Application Date: 10-8-03

Application # 05-50008020

COUNTY OF HARNETT LAND USE APPLICATION

Central Permitting

102 E. Front Street, Lillington, NC 27546

Phone: (910) 893-4759

Fax: (910) 893-2793

LANDOWNER: RL Properties LLC Mailing Address: 221 Pope Lake Rd. Angier NC 27501
City: Angier State: NC Zip: 27501 Phone #: 919 639-4295

APPLICANT: RL Properties Mailing Address: "
City: " State: " Zip: " Phone #: "

PROPERTY LOCATION: SR #: 1415 SR Name: Rawls Church Road
Parcel: 04 0604 0038 01 PIN: 66664-98-2365-000
Zoning: RA30 Subdivision: Wyndham Place Lot #: 3 Lot Size: 34 AC 26.6
Flood Plain: X Panel: 50 Watershed: IV Deed Book/Page: 1730/249 Plat Book/Page: 2003/02/28

DIRECTIONS TO THE PROPERTY FROM LILLINGTON: Take 210 to Angier at light take left on Hwy 55
Approx. 1/2 mile left on Rawls Road - 3 to 4 mile Wyndham Place on left. turn
left lot is on the right.

PROPOSED USE: 50, 59
 Sg. Family Dwelling (Size 30 x 40) # of Bedrooms 3 # Baths 2.5 Basement (w/wo bath) N Garage Yes Deck No
 Multi-Family Dwelling No. Units _____ No. Bedrooms/Unit _____
 Manufactured Home (Size _____ x _____) # of Bedrooms _____ Garage _____ Deck _____

Comments: _____
 Number of persons per household Spec
 Business Sq. Ft. Retail Space _____ Type _____
 Industry Sq. Ft. _____ Type _____
 Home Occupation (Size _____ x _____) # Rooms _____ Use _____
 Accessory Building (Size _____ x _____) Use _____
 Addition to Existing Building (Size _____ x _____) Use _____
 Other _____

Water Supply: County Well (No. dwellings _____) Other _____
Sewage Supply: New Septic Tank Existing Septic Tank County Sewer Other _____
Erosion & Sedimentation Control Plan Required? YES NO Proposed SFD

Structures on this tract of land: Single family dwellings 1 Manufactured homes _____ Other (specify) _____
Property owner of this tract of land own land that contains a manufactured home w/in five hundred feet (500') of tract listed above? YES NO

Required Property Line Setbacks:	Minimum	Actual	Minimum	Actual	
Front	<u>35</u>	<u>121</u>	Rear	<u>25</u>	<u>55</u>
Side	<u>10</u>	<u>15</u>	Corner	<u>20</u>	<u>-</u>
Nearest Building	<u>10</u>	<u>-</u>			

If permits are granted I agree to conform to all ordinances and the laws of the State of North Carolina regulating such work and the specifications or plans submitted. I hereby swear that the foregoing statements are accurate and correct to the best of my knowledge.

Richard Allen London
Signature of Applicant

10-8-03
Date

This application expires 6 months from the date issued if no permits have been issued

A RECORDED SURVEY PLAT AND RECORDED DEED ARE REQUIRED WHEN APPLYING FOR A LAND USE PERMIT

610 10/15 N

NOTE: L
SU
ea
ap

IG
8"E
1"E
3"E
7"W
6"E

City

Line

Buffer

20' Drainage Esmt.

20' x 20' base

R/W

71.40' (total)

dedicated

137.85'

26729 sq ft

27

138.71'

20.02'

147.31'

20.05'

173.40'

173.22'

120.11'

17.11'

82.28'

32.28'

Line

N 37°37'49"W
(238.69' total)
198.80'

40160 sq. ft.

4

38073 sq. ft.

5

25047 sq ft

28

26729 sq ft

27

26094 sq ft

29

29668 sq ft

30

26647 sq ft

31

26127 sq ft

32

26955 sq. ft.

3

25499 sq. ft.

2

35061 sq. ft.

1

SITE PLAN APPROVAL

DISTRICT RA30 USE SFD

#BEDROOMS 3

"Grahamridge Lane"

50' R/W

Date 10-9-03 Zoning Administrator [Signature]

R. Andrews
41, Pg. 992

NOTE: Lots
Sign
more
Sheet

NC
A 1
Eas
at
as

Approximate Locati
4" Public Waterl.

"Rawls Church Road" (Public Dea

"Control Point"

S 88°36'44"E 691.83' to an Existing Cottor

N.C.S.R. 1415 60' R/W

DEPARTMENT C
DIVISION
PROPOSED
SUBLE DIVISION 57
APPROVED [Signature]

HARNETT COUNTY TAX I.D.#	
04-0664-0238	
2/28/03	BY [Signature]

FOR REGISTRATION REGISTER OF DEEDS
 KIMBERLY S. HARGROVE
 HARNETT COUNTY, NC
 2003 FEB 28 01:22:26 PM
 BK: 1730 PG: 249-258 FEE: \$38.00
 NC REVENUE STAMP: \$595.00
 INSTRUMENT # 2003003823

Prepared By: Pope & Pope, Attorneys at Law, P.A.
 & Mail To: PO Box 790, Angier, N.C. 27501
 File No. 02-891

STATE OF NORTH CAROLINA
 COUNTY OF HARNETT

WARRANTY DEED

This INDENTURE is made this 27th day of February, 2003 by and between Graham F. Howard, Jr., Unmarried whose address is 1110 Atkins Road, Fuquay-Varina, NC 27526 hereinafter referred to as Grantor; and R.L. Properties, LLC, a North Carolina Limited Liability Company, whose address is 221 Pope's Lake Road, Angier, NC 27501, hereinafter referred to as Grantee.

WITNESSETH:

WHEREAS Grantor(s) for and in consideration of the Sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, have given, granted, bargained, sold and conveyed, and by these presents do hereby give, grant, bargain, sell and convey unto the Grantee(s) in fee simple. Said property being all of that certain piece, parcel or tract of land situated, lying and being in Black River Township, Harnett County, North Carolina, and more particularly described as follows:

BEING all that certain tract or parcel of land containing 26.64 acres, more or less, as shown on map of survey entitled, "Map for: R.L. Properties, LLC" dated 02/24/03 by Streamline Land Surveying, Inc., Robert E. Godwin, Jr., Coats, North Carolina and recorded in Map No. 2003-219, Harnett County Registry, reference to which is hereby made for greater accuracy of description.

This being the same property conveyed from Howard Farms to Graham F. Howard, Jr. by warranty deed dated 03/30/87 and recorded in Deed Book 828, Page 281, Harnett County Registry. For further reference see: Bankruptcy Court File - In Re: Graham F. Howard, Jr., Case No. 86-02766-S95, Order Filed: 04/06/87 whereby the Deed of Trust to J. Norwood Adams recorded in Deed Book 749, Page 281, Harnett County Registry and Deed of Trust to Richmond Guano Company recorded in Deed Book 804, Page 836 were deemed to be unsecured creditors of the debtor and should not have a secured or lien claim in any manner against the debtor or against the real property which was then titled to Howard Farms and directed by that order to be transferred to the debtor (Graham F. Howard, Jr.); See also: Deed Book 881, Page 106; Deed Book 794, Page 426; Deed Book 794, Page 176; Deed Book 749, Page 78; Deed Book 638, Page 298; Deed Book 630, Page 892; Deed Book 490, Page 293; and Deed Book 313, Page 636, Harnett County Registry.

This property is conveyed subject to a 30' riparian buffer as disclosed on recorded map.

The herein described lands are conveyed to and accepted by the Grantees subject to all other easements, rights-of-way and restrictions shown on said map and listed on the public record.

See copy of Bankruptch Case No. 86-02766-S05 attached hereto, marked Exhibit "A" and incorporated herein by reference as if fully set forth.

This conveyance is expressly made subject to the lien created by Grantor's real 2003 Harnett County ad valorem taxes.

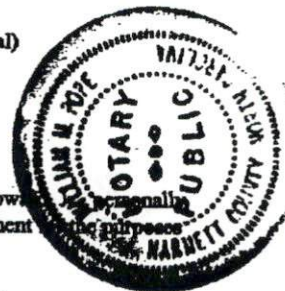
TO HAVE AND TO HOLD the above described lands and premises, together with all appurtenances thereunto belonging, or in anyway appertaining, unto the Grantees, their heirs, successors and assigns forever, but subject always, however, to the reservation(s) set forth above.

AND the said Grantor, party of the first part, covenant to and with said Grantees, parties of the second part, their heirs, successors, administrators and assigns that it is lawfully seized in fee simple of said lands and premises, and have full right and power to convey the same to the Grantees in fee simple (but subject, however, to the limitations set out above) and that said lands and premises are free from any and all encumbrances, except as set forth above, and that itself and its heirs, successors, administrators and assigns shall forever warrant and defend the title to the same lands and premises, together with the appurtenances thereunto appertaining, unto the Grantees, their heirs, successors, administrators and assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal and do adopt the printed word "SEAL" beside their name as their lawful seal.

Graham F. Howard, Jr. (Seal)
Graham F. Howard, Jr.

STATE OF NORTH CAROLINA
COUNTY OF HARNETT



I, William M. Bode, a Notary Public, do hereby certify that Graham F. Howard, Jr. appeared before me this date and acknowledged the due execution of the foregoing instrument therein expressed.

Witness my hand and official stamp or seal, this the 27 day of February, 2003.

(Seal/Stamp)

William M. Bode
Notary Public

My Commission Expires: 2/3/07

SEARCH RESULTS: USBC RACER - 02/02/1986 - 10/10/1991

1/19 →

RACER Bankruptcy Case Search

Case Information For Case 5:86-02766

Beginning Entry Number <input type="checkbox"/> 1 (or LAST for the last entry) <input type="checkbox"/> Reverse Order Docket Code <input type="checkbox"/> All Codes <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Docket Entries <input type="text" value="1"/> to <input type="text" value="9999"/> <input type="checkbox"/> Claim Listing <input type="checkbox"/> Numeric Order	YR-Case #-Judge 86-02766-ATS Hon. A. THOMAS SMALL	Date Filed 12/02/1986	Chapter 12	Case Type Individual Voluntary	Business? No Assets? Yes	Paid? Yes
	Name and Address of Debtor HOWARD, GRAHAM F., JR. MAILING ADDRESS Route 2, Box 361 Fuquay-Varina, NC 27526		Name and Address of Joint Debtor			
	Debtor SSAN: 241-72-8214 Tax ID:		Joint Debtor SSAN: Tax ID:			
	Attorney(s) For Debtor Gregory B. Crampton Nicholls & Crampton, P.A. P. O. Box 18237 Raleigh, NC 27619 (919) 781-1311		Attorney(s) For Joint Debtor			
	Trustee Assigned Richard M. Stearns P.O. Box 2218 KINSTON, NC 28502 (252) 523-2293					
	341 Meeting: 02/27/1987 at U.S. COURTHOUSE & P.O. BLDG., ROOM 208, 300 FAYETTEVILLE ST. MALL, RALEIGH, NC			Confirmation Hearing:		
	Claims Deadline: 05/27/1987	Originally Filed: 12/02/1986	Confirmed: 10/10/1991			
	Complaints Deadline: 04/28/1987	Original Chapter: 12	Date Closed: 10/10/1991			



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A True Copy
 Peggy B. Deans, Clerk
 United States Bankruptcy Court
 By: Anna Muel
 Deputy Clerk

SEARCH RESULTS USER FILES CURRENT DATE TIME

03/03/2003

RACER Bankruptcy Case Search - Click here to view the Cover Sheet Creditor Listing Claims Register

Docket for Case 86-02766 HOWARD, GRAHAM F., JR.			
Filing Date	Entry No.	Image	Entry
12/22/1989	1	No	NOTE: Omitted docket numbers were docketed manually prior to conversion to complete electronic docketing. [ENTERED 12/27/1989][TB]
12/22/1989	67 <u>Related Docs</u>	No	Trustee's Motion To Dismiss [] hearing on 01/01/1990 -MP, Response due by 01/15/1990 (2 copies) [Disposed] [ENTERED 12/27/1989][TB]
01/03/1990	68	No	Objection (1 copies) RE: Item #67 [ENTERED 01/03/1990][TB]
01/05/1990	69 <u>Related Docs</u>	No	Notice Of Hearing & Certificate Of Service on 02/06/1990 at 10:00 a.m. at U.S. COURTHOUSE & P.O. BLDG., ROOM 208, 300 FAYETTEVILLE ST. MALL, RALEIGH, NC (1 copies) RE: Item #67 [ENTERED 01/09/1990][TB]
01/05/1990	70 <u>Related Docs</u>	No	Notice To Attorney [] RE: Item #69 - due by 01/23/1990 (1 copies) RE: Item #69 [ENTERED 01/09/1990][TB]
01/12/1990	71	No	Certificate Of Service Filed By Trustee (4 copies) RE: Item #70 [ENTERED 01/12/1990][TB]
03/07/1990	72	No	Withdrawal (2 copies) RE: Item #67 [ENTERED 03/08/1990] [TB]
01/03/1991	73 <u>Related Docs</u>	No	Notice Of Default (1 copies) [ENTERED 01/03/1991][DG]
04/26/1991	74	No	Withdrawal (2 copies) RE: Item #73 [ENTERED 04/30/1991] [TB]
06/04/1991	75 <u>Related Docs</u>	No	Trustee's Motion To Dismiss [VT] hearing on 01/01/1990 -MP, Response due by 06/24/1991 (2 copies) [Disposed] [ENTERED 06/04/1991]
07/26/1991	76	No	Withdrawal (2 copies) RE: Item #75 [ENTERED 07/31/1991] [DG]

08/12/1991	77	No	DISCHARGE OF DEBTOR (2 copies) [ENTERED 08/14/1991] [DG]
08/30/1991	78	No	Final Report And Account And Summary Thereof (2 copies) [ENTERED 09/06/1991][TB]
10/10/1991	79	No	Final Decree (1 copies) [ENTERED 10/11/1991][VT]

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FILED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA

SEP 6 1987

PENNY B. STAS, CLERK:
U. S. BANKRUPTCY COURT
CASE NO. 86-02766-SOS
86-02766-S05

IN RE:
GRAHAM F. HOWARD, JR.

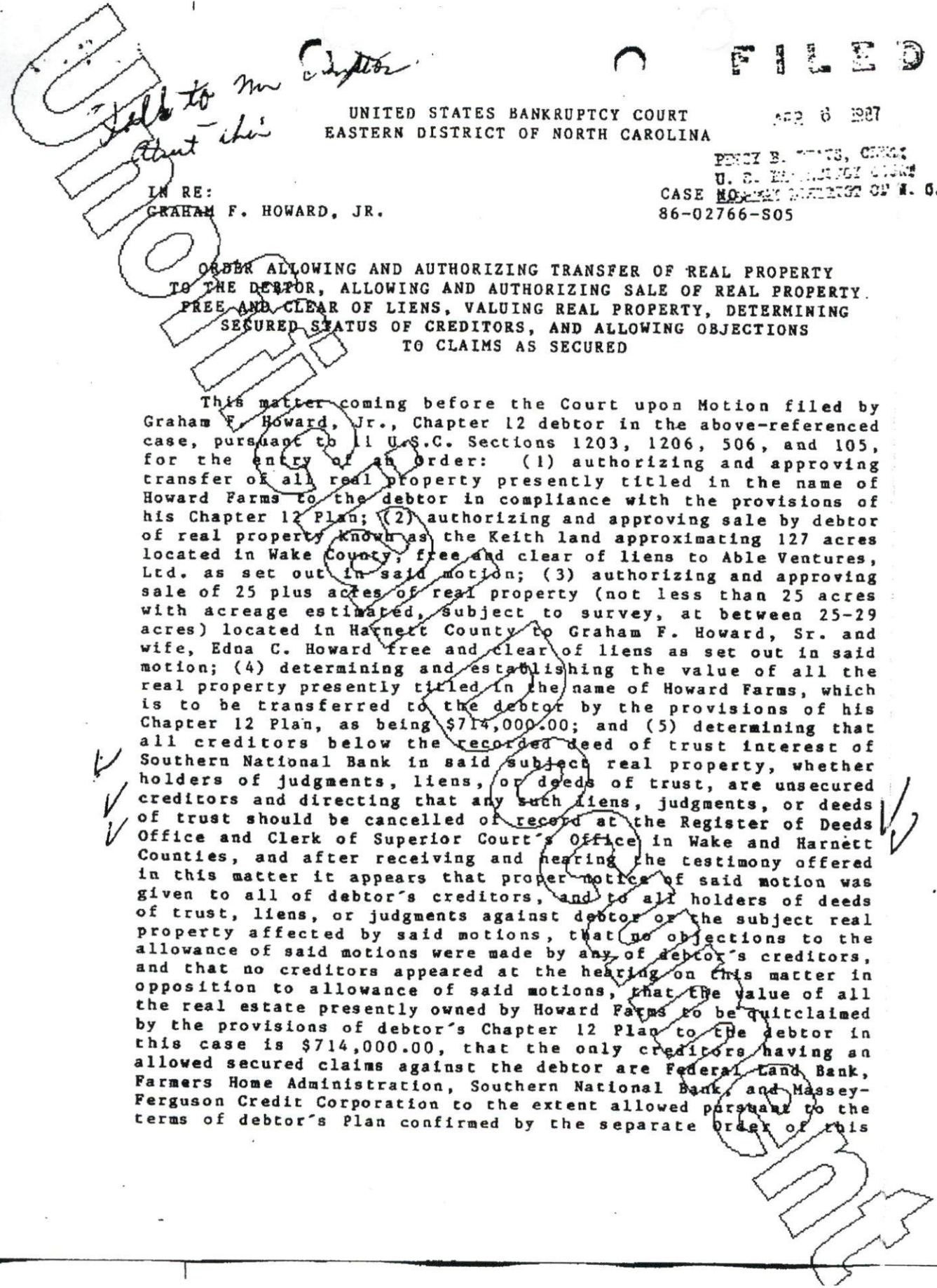
ORDER ALLOWING AND AUTHORIZING TRANSFER OF REAL PROPERTY
TO THE DEBTOR, ALLOWING AND AUTHORIZING SALE OF REAL PROPERTY,
FREE AND CLEAR OF LIENS, VALUING REAL PROPERTY, DETERMINING
SECURED STATUS OF CREDITORS, AND ALLOWING OBJECTIONS
TO CLAIMS AS SECURED

This matter coming before the Court upon Motion filed by
Graham F. Howard, Jr., Chapter 12 debtor in the above-referenced
case, pursuant to 11 U.S.C. Sections 1203, 1206, 506, and 105,
for the entry of an Order: (1) authorizing and approving
transfer of all real property presently titled in the name of
Howard Farms to the debtor in compliance with the provisions of
his Chapter 12 Plan; (2) authorizing and approving sale by debtor
of real property known as the Keith land approximating 127 acres
located in Wake County, free and clear of liens to Able Ventures,
Ltd. as set out in said motion; (3) authorizing and approving
sale of 25 plus acres of real property (not less than 25 acres
with acreage estimated, subject to survey, at between 25-29
acres) located in Harnett County to Graham F. Howard, Sr. and
wife, Edna C. Howard free and clear of liens as set out in said
motion; (4) determining and establishing the value of all the
real property presently titled in the name of Howard Farms, which
is to be transferred to the debtor by the provisions of his
Chapter 12 Plan, as being \$714,000.00; and (5) determining that
all creditors below the recorded deed of trust interest of
Southern National Bank in said subject real property, whether
holders of judgments, liens, or deeds of trust, are unsecured
creditors and directing that any such liens, judgments, or deeds
of trust should be cancelled of record at the Register of Deeds
Office and Clerk of Superior Court's Office in Wake and Harnett
Counties, and after receiving and hearing the testimony offered
in this matter it appears that proper notice of said motion was
given to all of debtor's creditors, and to all holders of deeds
of trust, liens, or judgments against debtor or the subject real
property affected by said motions, that no objections to the
allowance of said motions were made by any of debtor's creditors,
and that no creditors appeared at the hearing on this matter in
opposition to allowance of said motions, that the value of all
the real estate presently owned by Howard Farms to be quitclaimed
by the provisions of debtor's Chapter 12 Plan to the debtor in
this case is \$714,000.00, that the only creditors having an
allowed secured claims against the debtor are Federal Land Bank,
Farmers Home Administration, Southern National Bank, and Massey-
Ferguson Credit Corporation to the extent allowed pursuant to the
terms of debtor's Plan confirmed by the separate Order of this

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Court of even date, that all other creditors of the debtor or creditors holding claims against the real property presently titled in the name of Howard Farms and directed by the terms of this Order to be transferred to the debtor are unsecured creditors, including without limitation the deed of trust interest in favor of J. Norwood Adams, deed of trust interest in favor of Richmond Guano, the judgment in favor of Vause Equipment Company, the judgment in favor of Carlos Shuford, the judgment in favor of Graham Neville and Associates, the judgment in favor of Southern Agricultural, the judgment in favor of Allis Chalmers Corporation, the judgment in favor of Bain and Marshall, Attorneys at Law, judgment in favor of Gurley's, Inc. docketed in Book 103, page 346, Wake County Court Clerk's Office against Graham F. Howard, without designation as to whether such judgment is against debtor or Graham F. Howard, Sr., the judgment in favor of Powell and Powell Supply, and the claims of all creditors, whether holders of judgments, or liens, or deeds of trust against the debtor or against the subject real property referenced above, which are subordinate to the recorded deed of trust interest of Southern National Bank in the subject real property, that the aggregate claims of Federal Land Bank, Farmers Home Administration, and Southern National Bank, secured by recorded deed of trust interests in the real property directed by the terms of this Order to be transferred to the debtor aggregate \$750,000.00 versus the value of said property as determined by this Court in the amount of \$714,000.00, that the best interest of debtor, his estate and creditors, will be served by the allowance of debtor's motions, including motions for sale of real property free and clear of liens, that debtor's objections to claims as secured as set out in his motion dated March 23, 1987 should be allowed, that the Federal Land Bank has filed an Amended Proof of Claim dated April 3, 1987 reflecting a payoff on its first, secured claim against the real property subject to this Order in the amount of \$282,429.89, plus \$79.2546 per day from and after March 26, 1987, and for good cause shown it is

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ORDERED that all real property presently titled in the name of Howard Farms, shall be transferred to the debtor as set out in paragraph 8.1 of his Chapter 12 Plan confirmed by a separate Order of this Court of even date, by quitclaim deed executed by said Howard Farms, by Rudy Howard individually and to the extent of any partnership interest in Howard Farms, by Larry K. Howard individually, and as a partner of Howard Farms, and by Graham F. Howard, Jr. as a partner of Howard Farms.

FURTHER ORDERED the value of all the real property presently titled in the name of Howard Farms and directed by the terms of this Order above to be transferred to the debtor, Graham F. Howard, Jr., be and hereby is determined and established to be \$714,000.00.

FURTHER ORDERED that the Federal Land Bank, Farmers Home Administration, Southern National Bank, and Massey Ferguson Credit Corporation be and hereby are determined to have allowed

secured claims against the debtor to the extent that said claims are treated as secured by debtor's Chapter 12 Plan which is confirmed by separate Order of this Court of even date.

FURTHER ORDERED that debtor's objection to claims as secured against: (1) the deed of trust interest of Farmers Home Administration to the extent its claim is not allowed as secured under the terms of debtor's Chapter 12 Plan confirmed by separate Order of this Court; (2) the deed of trust interest in favor of J. Norwood Adam; (3) deed of trust interest in favor of Richmond Guado; (4) judgment in favor of Vause Equipment Company; (5) judgment in favor of Carla Shuford; (6) judgment in favor of Graham Neville and Associates; (7) judgment in favor of Southern Agricultural; (8) judgment in favor of Allis Chalmers Corporation; (9) judgment in favor of Bain and Marshall, Attorneys at Law; (10) judgment in favor of Gurley's, Inc. docketed in Book 104, page 346, Wake County Clerk's Office against Graham F. Howard, without designation as to whether said judgment is against debtor or Graham F. Howard, Sr.; (11) judgment in favor of Powell and Powell Supply; and (12) any claim subordinate to the recorded deed of trust interest of Southern National Bank in the real property presently titled in the name of Howard Farms and directed by this Order to be transferred to the debtor, be and hereby are determined to be unsecured creditors of the debtor and said creditors shall not have a secured or lien claim in any manner against the debtor or against the real property presently titled in the name of Howard Farms and directed by this Order to be transferred to the debtor.

FURTHER ORDERED that the sale of real property known as the Keith land approximating 127 acres located in Wake County, being part of the real property directed by this Order to be transferred to the debtor, to Able Ventures, Ltd. for a purchase price of \$3,050.00 an acre free and clear of liens as set out in Exhibit A attached to debtor's motion, with liens transferring to the proceeds in their respective order of priority, as allowed and determined by the provisions of this Order and by the terms of debtor's confirmed Chapter 12 Plan, as confirmed by Order of this Court of even date, be and hereby is authorized, approved, and directed.

FURTHER ORDERED that the net sale proceeds of said sale free and clear of liens as directed by this Order to Able Ventures, Ltd. shall be paid as follows: \$292,429.89, plus \$79.2546 per day from and after March 26, 1987 through the date of closing shall be paid at closing by delivery of a certified check for said amount to Mark C. Kirby, of the law firm of Wyrick, Robbins, Yates, Ponten and Kirby, as attorney for the Federal Land Bank; and (2) balance of said sale proceeds shall be paid to Gregory B. Crampton, as escrow agent hereby appointed by this Order for distribution of the remaining proceeds in compliance with the terms of debtor's Chapter 12 Plan confirmed by separate Order of this Court of even date.

lien claim against the real property formerly titled in the name of Howard Farms and directed by order of said April 6, 1987 Order to be transferred to the debtor, that each of said three holders of judgments are subject to the order allowing sale of real property free and clear of liens set out in said April 6, 1987 Order, and for good cause shown, it is

ORDERED that this Court's April 6, 1987 Order previously entered in this case as referenced herein, be, and hereby is modified and amended to include Fred H. Dupree, Royster Carolina Company and N U Home Building in the provisions of said order as follows: (1) at the 16th line from the top of page 2 of said Order after "of Powell and Powell Supply" is added "judgment in favor of Fred H. Dupree, judgment in favor of Royster Carolina Company, judgment in favor of N U Home Building"; (2) to the first "Further Ordered" paragraph on page 3 at the 15th line of said paragraph after "(11) judgment in favor of Powell and Powell Supply" is added "(12) judgment in favor of Royster Carolina Company; (13) judgment in favor of Fred H. Dupree; (14) judgment in favor of N U Home Building" and "(12)" on line 16 of said paragraph is changed to "(15)".

DATED: _____

A. Thomas Small
United States Bankruptcy Judge