

Initial Application Date: 1-21-03

Application # 03-5-0327

COUNTY OF HARNETT LAND USE APPLICATION

Central Permitting 102 E. Front Street, Lillington, NC 27546 Phone: (910) 893-4759 Fax: (910) 893-2793

LANDOWNER: DAVID LEE WERTZ Mailing Address: PO Box 1938
City: Lillington State: NC Zip: 27546 Phone #: 910 814 0629

APPLICANT: Amy S. Hynds Mailing Address: 413 Country Cove Lane
City: Lillington State: NC Zip: 27546 Phone #: 910-814-2285

PROPERTY LOCATION: SR #: 1128 SR Name: Darrock Road
Parcel: 01-0536-0019-10 PIN: 0526-79-2641

Zoning: R420K Subdivision: _____ Lot #: 2 Lot Size: 10.01 AC
Flood Plain: Y Panel: 0090 Watershed: N/A Deed Book/Page: 1314-346 Plat Book/Page: JAN 1997

If located with a Watershed indicate the % of Impervious Surface: _____
DIRECTIONS TO THE PROPERTY FROM LILLINGTON: Hwy 210 To Darrock Road Turn Right go 1 mile to Country Cove Lane Turn Right Go Appx 1/2 mile to Land.

PROPOSED USE:

- Sg. Family Dwelling (Size ___ x ___) # of Bedrooms ___ # Baths ___ Basement (w/wo bath) ___ Garage ___ Deck ___
- Multi-Family Dwelling No. Units ___ No. Bedrooms/Unit ___
- Manufactured Home (Size 14 x 70 # of Bedrooms 3 Garage ___ Deck ___
- Comments: _____
- Number of persons per household 4
- 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
Structures on this tract of land: Single family dwellings ___ Manufactured homes 1 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>150'</u>	<u>25'</u>	<u>610'</u>
Side	<u>10'</u>	<u>150'</u>	___	___
Nearest Building	<u>10'</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.

David Lee Wertz
Signature of Owner or Owner's Agent

1-21-03
Date

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

992 1/27 S

copy

Book 1374
Pages 0346-0348

FILED 3 PAGE(S)
HARNETT COUNTY NC
09/01/1999 3:34 PM
KIMBERLY S. HARGROVE
Register Of Deeds

SATISFACTION: The debt secured by the within Deed of Trust together with the note(s) secured thereby has been satisfied in full.

This the _____ day of _____,
Signed: _____

Recording: Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____

Verified by _____ County on the _____ day of _____

by _____

Mail after recording to JAMES R. LEVINSON, PO BOX 117, BENSON, NC 27504 Beneficiary

This instrument prepared by JAMES R. LEVINSON, PO BOX 117, BENSON, NC 27504

Brief Description for the index LOT 2 AND LOT 9 ANDERSON CREEK (NO TITLE SEARCH)

NORTH CAROLINA DEED OF TRUST

THIS DEED of TRUST made this 27th day of AUGUST, 1999, by and between:

GRANTOR	TRUSTEE	BENEFICIARY
DAVID LEE WERTZ and wife, MARGARET H. WERTZ	JAMES R. LEVINSON	W. R. LAMBERT AND LARRY B. WOOD
6416 GREEN GATE HILL ROAD FAYETTEVILLE, NC 28603	PO BOX 117 BENSON, NC 27504	509 NORTH LINCOLN STREET BENSON, NC 27504

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor, Trustee, and Beneficiary as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, That whereas the Grantor is indebted to the Beneficiary in the principal sum of THIRTY ONE THOUSAND TWO HUNDRED EIGHTY SIX AND 14/100 Dollars (\$ 31,286.14),

as evidenced by a Promissory Note of even date herewith, the terms of which are incorporated herein by reference. The final due date for payment of said Promissory Note, if not sooner paid, is OCTOBER 11, 2022

NOW, THEREFORE, as security for said indebtedness, advancements and other sums expended by Beneficiary pursuant to this Deed of Trust and costs of collection (including attorneys fees as provided in the Promissory Note) and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor has bargained, sold, given, granted and conveyed and does by these presents bargain, sell, give, grant and convey to said Trustee, his heirs, or successors, and assigns, the parcel(s) of land situated in the City of LILLINGTON, ANDERSON CREEK Township, HARNETT County, North Carolina, (the "Premises") and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DEED OF TRUST.

AND TO HOLD said Premises with all the rights and appurtenances thereunto belonging, to said Trustee, his heirs, successors, and assigns forever, upon the trusts, terms and conditions...

hereof and otherwise as required by the then existing law relating to foreclosures. The Trustee's commission shall be five percent (5%) of the gross proceeds of the sale or the minimum sum of \$... hereafter erected, constantly insured for the benefit of the Beneficiary against loss by fire, windstorm and such other casualties and contingencies...

SUBSTITUTION OF TRUSTEE. Grantor and Trustee covenant and agree to and with Beneficiary that in case said Trustee, or any successor trustee, shall die, become incapable of acting, renounce his trust, or for any other reason shall be unable to perform the duties of Trustee, then the holder may appoint, in writing, a trustee to take the place of the Trustee...

THE FOLLOWING PARAGRAPH, 9. SALE OF PREMISES, SHALL NOT APPLY UNLESS THE BLOCK TO THE LEFT MARGIN OF THIS SENTENCE IS MARKED AND/OR INITIALED. SALE OF PREMISES. Grantor agrees that if the Premises or any part thereof or interest therein is sold, assigned, transferred, conveyed or otherwise alienated by Grantor...

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by its duly authorized officers and its seal to be hereunto affixed by...

(Corporate Name) _____ by: _____ President ATTEST _____ Secretary (Corporate Seal)

NORTH CAROLINA, Johnston County, I, a Notary Public of the County and state aforesaid, certify that DAVID LEE WERTZ AND MARGARET H. WERTZ personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 31 day of AUGUST, 1999. My Commission expires: 07/21/02

NORTH CAROLINA, _____ County, I, a Notary Public of the County and state aforesaid, certify that _____ personally appeared before me this day and acknowledged that _____ he is _____ a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its _____ Secretary, President, sealed with its corporate seal and attested by _____ as its _____ Secretary, Witness my hand and official stamp or seal, this _____ day of _____, _____ Notary Public My Commission expires: _____

The foregoing Certificate(s) of Carolyn J. Lambert, notary of Johnston Co.

This instrument and the certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof. REGISTER OF DEEDS FOR Harnett COUNTY Deputy/Assistant-Register of Deeds.

EXHIBIT A

Begin at an existing iron stake in the line of Gail Wood, said being located North 01 degrees 06 minutes 3 seconds East 403.13 feet from an existing iron stake the southeastern corner for the Linda Gail Wood 30.5 acre tract recorded in Deed Book 1104, Pages 884-886 of the Harnett County Registry, and runs as the line of Wood, North 01 degrees 06 minutes 53 seconds East 56.64 feet to an existing iron stake, and North 01 degrees 06 minutes 53 seconds East 549.73 feet to an existing iron stake, corner for Wood and for land owned jointly by David Nelson Rogers and Jo Anne Horton; thence as the line of Wood and Rogers-Horton, South 85 degrees 57 minutes 41 seconds West 830.67 feet to an existing iron stake in the center of a 60 feet wide easement, joint corner for Wood, Rogers-Horton, David Wertz, and Louis Horton; thence as the line of Louis Horton and Wood, and as the center of a 60 feet wide easement, South 15 degrees 29 minutes 35 seconds West 160.48 feet to an existing iron stake, and South 02 degrees 45 minutes 11 seconds East 269.09 feet to an existing iron stake; thence a new line, South 81 degrees 38 minutes 50 seconds East 855.84 feet to the point of beginning and contains 10.07 acres more or less.

Less and excepting an easement described as follows: Beginning at an existing iron stake, the northwestern corner for the above described 10.07 acre lot, and runs as the line of Wood and Louis Horton, South 15 degrees 29 minutes 35 seconds West 160.48 feet to an existing iron stake, and South 02 degrees 45 minutes 11 seconds East 269.09 feet to an existing iron stake, with the above lines being the western side of a 30 feet wide easement for the purpose of ingress and egress.

Together with an easement for ingress and egress as follows:

Beginning at an existing iron stake, the northwestern corner for the above described 10.07 acre lot, and runs as the line of Wood and Louis Horton, South 15 degrees 29 minutes 35 seconds West 160.48 feet to an existing iron stake, and South 02 degrees 45 minutes 11 seconds East 269.09 feet to an existing iron stake, with the above lines being the center of a 60 feet wide easement; thence as the line of Wood and Louis Horton, South 26 degrees 00 minutes 31 seconds West 370.04 feet to an existing iron stake, the northeastern corner for the 10.14 acre tract recorded in Book 919, Page 801, owned by Herbert J. Arndt, with the preceding line being the western side of a 50 feet wide easement; thence as the line of Herbert Arndt, South 01 degrees 04 minutes 41 seconds West 375.12 feet to an iron stake, corner for Arndt and a corner for the 20.16 acre tract owned by Mark Anthony Lux; thence as the eastern line of Mark Lux, South 01 degrees 04 minutes 41 seconds West 749.90 feet to an iron stake, the southeast corner for Mark Lux; thence as the line of Michael Shute, South 11 degrees 30 minutes 00 seconds East 880.76 feet to an iron stake; thence as the line of the McDuffie Land, South 01 degrees 30 minutes 00 seconds West 522.88 feet to a point in the center of SR 1128 (Darroch Road), with the previously described lines being the western side of a 50 feet wide easement for the purpose of ingress and egress.

TRACT TWO

BEGINNING at an iron stake, said stake being the northwest corner of a 31.5 acre tract that is shown on a map titled Larry B. Wood and is recorded in Plat Cabinet-F, Slide 452-A, Harnett County Registry and the northwest corner for the 119.58 acre tract as is recorded in Deed Book 1080, Page 571-573, Harnett County Registry, said iron stake also being a corner for Larry B. Wood and runs as the old property line of Larry B. Wood South 18 degrees 11 minutes 22 seconds East 752.00 feet to an iron stake, a joint corner for Wertz and Wood; thence as the line of Wertz and Wood North 60 degrees 15 minutes 23 seconds East 1064.83 feet to an iron stake in the center of a circle with a radius of 50 feet; thence as the line of Larry B. Wood North 63 degrees 32 minutes 32 seconds West 927.46 feet to an iron stake; thence as the line of Larry B. Wood and James Burgess South 55 degrees 23 minutes 00 seconds West 399.73 feet to the point of BEGINNING and contains 12.73 acres, more or less.

ALSO, THE FOLLOWING EASEMENT:

BEGINNING at an iron stake being the Southeastern corner for the 12.73 acre tract and the center for a circle with a radius of 50 feet and runs South 23 degrees 50 minutes 12 seconds East 508.84 feet to an iron stake, corner for Levonda Wood, Larry B. Wood and Linda Wood; thence South 15 degrees 23 minutes 37 seconds West 160.54 feet to an iron stake; thence South 02 degrees 53 minutes 57 seconds East 269.12 feet to an iron stake, a corner for Linda Wood and Levonda Wood with all described lines being the centerline for an easement 60 feet wide for purpose of ingress and egress; thence South 25 degrees 53 minutes 33 seconds West 369.97 feet to an iron stake, corner for Levonda Gail Wood and Herbert J. Arndt, the above described line is the western side of an easement 60 feet wide.

THE FOLLOWING EASEMENT CONTINUES TO SR # 1128:

BEGINNING at an iron stake being the Southeast corner for the tract of land that is deeded to Levonda Gail Wood and recorded in Book 1104, at page 887-889, Harnett County Registry, said stake also being a corner for Linda Wood and being a corner for Herbert J. Arndt, and runs South 01 degrees 04 minutes 41 seconds West 375.12 feet to a stake; thence South 01 degrees 04 minutes 41 seconds West 749.9 feet to an iron stake; thence South 11 degrees 30 minutes East 880.76 feet to a stake; thence South 01 degrees 30 minutes West 522.88 feet to a point in the center of SR #1128, with the above described lines being the West side of an easement 50 feet wide and running from the property of Levonda Gail Wood, Linda Gail Wood, Larry B. Wood, and Carolyn J. Lambert to the state highway, SR # 1128, and is for the purpose of ingress and egress from the 12.73 acre tract to SR # 1128.

Subject to Restrictive Covenants recorded in Book 1139, page 474, Harnett Co Registry.

HARNETT COUNTY NORTH CAROLINA
FILED DATE 9-1-99 TIME 3:34pm
BOOK 374 PAGE 346-348
REGISTER OF DEEDS
KIMBERLY S. HARGROVE