

Issued Feb 27 2004
\$4,000.00
State of Pasquotank
North Carolina County
Real Estate Excise Tax

FILED in Pasquotank County, NC
on Feb 27 2004 at 12:21:11 PM
by: Dollie J. Summerour
REGISTER OF DEEDS

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 4,000.00

Parcel Identifier No. 891415635069 & Verified by _____ County on the _____ day of _____, 20____
By: 891415634463

Mail/Box to: W. Brock. Mitchell, Hornthal, Riley, Ellis and Maland, LLP, 301 E. Main Street, Elizabeth City, NC 27909

This instrument was prepared by: G. Elvin Small, III, Attorney at Law, 410 E. Main Street, Suite 201, Elizabeth City, NC

Brief description for the Index: _____

THIS DEED made this 18th day of February, 2004, by and between

GRANTOR	GRANTEE
J.O.G. Development, LLC A North Carolina Limited Liability Company 400 Ward St. Elizabeth City, NC 27909	PERRY ENTERPRISE GROUP, LLC A North Carolina Limited Liability Company 306 E. Ehringhaus St. Elizabeth City, NC 27909

The designation Grantor and Grantee 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 the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Elizabeth City, Elizabeth City Township, Pasquotank County, North Carolina and more particularly described as follows:
See Attached Exhibit A for Description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 681 page 106.

A map showing the above described property is recorded in Plat Book 13 page 36.

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PASQUOTANK COUNTY
Deed number 04-250
Transfer tax \$ 2,000.00 pdcw
Gw
Pasquotank County Assessor's Office

EXHIBIT A

All those certain tracts or parcels of land, together with any improvements located thereon, lying and being in Elizabeth City Township, Pasquotank County, North Carolina and being more particularly described as follows:

TRACT I:

BEGINNING at a point which is located South 28° 13' 40" West a distance of 1.30 feet from an existing iron pipe and at the intersection of the southern margin of the 60 foot right of way of Broad Street and the western margin of the 66 foot right of way of Southern Railroad; running thence from said BEGINNING POINT along the southern margin of the 60 foot right of way of Broad Street North 72° 52' 00" West a distance of 578.99 feet to a point; thence continuing from said point in a general northwesterly direction along the southern margin of the 60 foot right of way of Broad Street North 72° 52' 00" West 16.23 feet to a point in the approximate center of an existing ditch; thence continuing from said point along the approximate centerline of the said ditch South 19° 11' 00" West a distance of 248.41 feet to a point in the northern margin of the 40 foot right of way of Richardson Street; thence along the northern margin of the 40 foot right of way of Richardson Street South 35° 05' 49" East a distance of 105.00 feet to a point; thence continuing from said point along the northern margin of the 40 foot right of way of Richardson Street South 25° 18' 52" East a distance of 270.50 to a point in the intersection of the northern margin of the 40 foot right of way of Richardson Street and the western margin of the 66 foot right of way of Southern Railroad; running thence from said point along the western margin of the 66 foot right of way of Southern Railroad North 50° 36' 00" East a distance of 613.94 feet to the point and place of BEGINNING, containing 184,147.47 square feet or 4.23 acres.

For a more particular description of the lands herein conveyed, reference is made to that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

TRACT II.

BEGINNING at an existing iron pipe set in the intersection of the northern margin of the 60 foot right of way of Broad Street and the western margin of Grandy Street (undeveloped); running thence from said existing iron pipe and BEGINNING POINT along the southern margin of the 60 foot right of way of Broad Street North 72° 52' 00" West a distance of 156.35 feet to a point; running thence from said point and continuing along the northern margin of the 60 foot right of way of Broad Street North 72° 52' 00" West a distance of 29.60 feet to a point; running thence from said point and continuing along the northern margin of the 60 foot right of way of Broad Street North 72° 52' 00" West a distance of 17.41 feet to a point situated in the approximate center of an existing ditch; running thence from said point and continuing in a general northeasterly direction along the approximate centerline of said ditch North 19° 11' 10" East a distance of 150.10 feet to a point; running thence from said point and leaving the approximate centerline of the said ditch South 72° 52' 00" East a distance of 12.05 feet to a point; running thence from said point and continuing South 72° 52' 00" East a distance of 185.95 feet to an existing iron pipe situated in the western margin of Grandy Street (undeveloped); running thence from said existing iron pipe along the western margin of Grandy Street (undeveloped) South 17° 08' 23" West a distance of 150.00 feet to the point and place of BEGINNING.

For a more particular description of the lands herein conveyed, reference is made to that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

TRACT III.

BEGINNING at an existing iron pipe situated in the western margin of Grandy Street (undeveloped), which existing iron pipe is located 250.00 feet, as measured along the western margin of Grandy Street (undeveloped), from the intersection of the northern margin of the 60 foot right of way of Broad Street and the western margin of Grandy Street (undeveloped); running thence from said existing iron pipe and BEGINNING POINT North 72° 52' 00" West a distance of 135.94 feet to a point; running thence from said point and continuing North 72° 52' 00" West 12.06 feet to a point situated in the approximate center of an existing ditch; running thence from said point and continuing along the approximate centerline of the said ditch North 48° 06' 06" East 58.31 feet to a point set in the approximate center of the said ditch, which point is situated in a South line of property now or formerly owned by Skinner et als; running thence from said point and leaving the approximate center of the said ditch in a general southeasterly direction along a south line of the Skinner et als property South 72° 52' 00" East a distance of 12.33 feet to a point; running thence from said point and continuing in a general southeasterly direction along a south line of the Skinner et als property South 72° 52' 00" East 105.67 feet to a point situated in the western margin of Grandy Street (undeveloped) and marking the southeast corner of the Skinner et als property; running thence from said point along the western margin of Grandy Street (undeveloped) South 17° 08' 23" West a distance of 50.00 feet to the point and place of BEGINNING.

For a more particular description of the lands herein conveyed, reference is made to that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

Tracts I, II and III being the same property conveyed by Mid-Atlantic Coca-Cola Bottling Company, Inc. to Superior Brands, Inc. by deed dated July 21, 1988, and recorded in Book 488, Page 165 Pasquotank County Registry.

TRACT IV.

BEGINNING at an existing iron pipe situated in the western margin of Grandy Street

(undeveloped), which existing iron pipe and BEGINNING POINT is located 150.00 feet as measured along the western margin of Grandy Street (undeveloped) from the intersection of the northern margin of the 60 foot right of way of Broad Street and the western margin of Grandy Street (undeveloped); running thence from said existing iron pipe and BEGINNING POINT North 72° 52' 00" East 185.95 feet to a point; running thence from said point and continuing in a general northwesterly direction North 72° 52' 00" West 12.05 feet to a point situated in the approximate center of an existing ditch; running thence from said point and continuing along the approximate centerline of the said ditch North 19° 11' 10" East 17.73 feet to a point; running thence from said point and continuing along the approximate center line of the said ditch North 48° 06' 06" East 95.96 feet to a point; running thence from said point and leaving the approximate center line of the said ditch South 72° 52' 00" East 12.06 feet to a point; running thence from said point and continuing South 72° 52' 00" East 135.94 feet to an existing iron pipe situated in the western margin of Grandy Street (undeveloped); running thence from said existing iron pipe along the western margin of Grandy Street (undeveloped) South 17° 08' 23" West 100.00 feet to an existing iron pin, the POINT AND PLACE OF BEGINNING.

For a more particular description of the lands herein conveyed, reference is made to that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

The same also being known as Lots Numbered 233 and 234 as shown on the map of Skinner & Gregory recorded in Deed Book 24 at Page 109 in the Pasquotank County Registry, this being the same property that is situated on the west side of Grandy Street (undeveloped) between the .691 acre parcel and the .153 acre parcel described above and shown on that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

Same being the property conveyed to Superior Brands, Inc. by deed from Augusta Aydlett and husband, Cyrus C. Aydlett, dated April 18, 1989, and recorded in Book 495, page 500 Pasquotank County Registry.

There is also conveyed together with the lands described as Tracts II, III and IV hereinabove, any and all right, title, interest, claim and estate of Grantor in Grandy Street, as shown on that certain survey entitled in part, "Property Survey For J.O.G. Development, L.L.C., Elizabeth City Township, Pasquotank County, North Carolina," dated December 13, 2000, and prepared by Edward T. Hyman, Jr., Professional Land Surveyor, which plat is recorded in Plat Book 27, Page 50, Pasquotank County Registry.

The Grantor makes no warranty, express or implied, as to the title to the Grantor's interest, if any, in and to Grandy Street as shown on the aforesaid plat or survey.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

J.O.G. Development, LLC A North Carolina Limited
(Entity Name)
By: [Signature] (SEAL)
Title: Member, Manager
By: [Signature] (SEAL)
Title: Member, Manager
By: W.C. Owens Jr. (SEAL)
Title: Member, Manager

State of North Carolina - County of _____
I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.
My Commission Expires: _____
Notary Public

State of North Carolina - County of Pasquotank
I, the undersigned Notary Public of the County and State aforesaid, certify that Stephen L. Jones, James T. Gregory, and W.C. Owens Jr. personally came before me this day and acknowledged that he is the _____ Member, Manager of J.O.G. Development, LLC A North Carolina Limited Liability Company, a North Carolina or corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, they signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 18th day of February, 2004.
My Commission Expires: November 23, 2004
Notary Public Vicki C. Meads

State of North Carolina - County of _____
I, the undersigned Notary Public of the County and State aforesaid, certify that _____
Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.
My Commission Expires: _____
Notary Public

NORTH CAROLINA : PASQUOTANK COUNTY
The foregoing Certificate(s) of Vicki C. Meads, a Notary Public of Pasquotank Co., State of NC, is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
By: Daphne G. Summer Register of Deeds for Pasquotank County
By: [Signature] Deputy/Assistant - Register of Deeds