



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P. O. Box 14996
Greensboro, North Carolina 27416-4996
June 27, 1991

JAMES G. MARTIN
GOVERNOR

THOMAS J. HARRELSON
SECRETARY

DIVISION OF HIGHWAYS

WILLIAM G. MARLEY, JR., P.E.
STATE HIGHWAY ADMINISTRATOR

STATE PROJECT: 4.49008
I. D. NUMBER: R-609F
F. A. PROJECT: QF-119-1(3)
COUNTY: Guilford
DESCRIPTION: US 311 Bypass

CERTIFIED MAIL NO. P 702 960 119

SUBJECT: Claim of W. Max McLamb (Kennedy Oil Company, Tenant) - Parcel 956

Kennedy Oil Company
1203 Courtesy Road
High Point, North Carolina 27260

Dear Sir:

Enclosed herewith is Warrant No. 187557 dated June 14, 1991, in the amount of \$9,875.00. This warrant is payment in full for right of way acquired from you by agreement dated June 7, 1991.

Thank you for your cooperation and assistance in bringing this matter to a successful conclusion.

Sincerely,

A handwritten signature in cursive script that reads "M. Todd Smith".

M. Todd Smith
RIGHT OF WAY AGENT

MTS:lh

Enclosure

cc: Central Office

STATE PROJECT NO. 4.49008
FEDERAL PROJECT NO. QF-118-1(3)
COUNTY Guilford
PARCEL 956

THIS AGREEMENT, made and entered into this the 6th day of May, 1991, by and between Kennedy Oil Company
(Lessee of McLamb's Grocery - Parcel 956)

hereinafter referred to as the Improvement Owner, and the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the Department.

WITNESSETH, that whereas the Improvement Owner has agreed to sell and the Department has agreed to purchase those certain improvements and structures and those certain interests in the real property on which said improvements are located as hereinafter more fully described:

NOW THEREFORE, for and in consideration of the sum of \$ 9,875.00 to be paid to the Improvement Owner by the Department, the Improvement Owner hereby bargains, sells, conveys, transfers, and assigns to the Department, its successors and assigns, the following described property and property rights, to wit:

Those certain improvements, fixtures, and structures located and described as follows:

- Two (2) 5,000 Gallon Underground Tanks
- Three (3) Gas Pumps
- One (1) 4,000 Gallon Underground Tank
- One (1) Pole Lamp
- One (1) Veeder-Root Gas Controller

TO HAVE AND TO HOLD said property and property rights, and all appurtenances thereunto belonging to the Department, its successors and assigns forever.

AND the Improvement Owner covenants and warrants that he owns the above-described property and property rights, and will defend the title thereto against the claims of all persons.

IN WITNESS WHEREOF, the Improvement Owner has hereunto set his hand and seal the day and year first above written.

It is further understood and agreed that KENNEDY OIL COMPANY the N. C. Dept. of Transportation will assume any further responsibility of the underground storage tanks.

By: Francis N. Kennedy (SEAL)
President

Attest: Ray K. Moore (SEAL)
Secretary

ACCEPTED FOR N. C. DEPARTMENT OF TRANSPORTATION

BY: _____
STATE OF _____ COUNTY

I, a Notary Public of the County and State aforesaid certify that _____ personally came before me this day and acknowledged that he is (Assistant) Secretary of Kennedy Oil 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 (Vice) President, sealed with its corporate seal and attested by _____ as its (Assistant) Secretary. Witness my hand and official stamp or seal, this the _____ day of _____, 19____.

My Commission expires: _____

Notary Public

October 1981

SUMMARY STATEMENT/OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES

TO: W. Max McLamb DATE: 5-06-91
TO: Lessee, if Applicable
Kennedy Oil Company
c/o Harold Ridge
High Point, North Carolina 27260

STATE PROJECT NO.: 4.49008 COUNTY: Guilford
FEDERAL AID PROJECT NO.: QP-119-1(3) PARCEL NO.: 956 I.D. #: R-609F
DESCRIPTION: US 311 Bypass

Dear Property Owner:

The following offer of just compensation is based on the fair market value of the property and is not less than the approved value for the appropriate legally compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. Please retain this form as it contains pertinent income tax information.

| | State Acquires Improvements |
|--|-----------------------------|
| Value of Part Taken (Includes Land, Improvements and Appurtenances Considered as Realty) | \$ <u>9,875.00</u> |
| Damages, if any, to Remainder | \$ <u>-0-</u> |
| Benefits, if any, to Remainder | \$ <u>-0-</u> Minus |
| TOTAL | \$ <u>9,875.00</u> |
| Less Retention Value(s) Item E | \$ <u>-0-</u> Minus |
| TOTAL (After Retention of Improvements) | \$ <u>9,875.00</u> |

The total offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(C) Description of the land and effects of the acquisition by easement [] and/or deed []:
N/A

(D) The offer for improvements considered as realty includes payment for the following improvements and appurtenances: Two (2) 5,000 Gallon Underground Tanks; One (1) 4,000 Gallon Underground Tank; Three (3) Gas Pumps; One (1) Pole Lamp; and One (1) Weeder Root Gas Controller

(E) Should you desire to retain the improvements, considered as realty, deductions in the total offer are listed as follows: "The above-mentioned improvements may be retained by Lessee for no consideration providing the Lessee removes them from the proposed right of way and provides a \$2,000.00 performance bond."

(F) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant, as explained to you by the Right of Way Agent, the total offer would be \$ N/A.

I will be available at your convenience to discuss this matter further with you. My telephone number is 919 - 288-3938, Greensboro, North Carolina.

The original of this form was handed/mailed, if out of state owner, to Harold Ridge of Kennedy Oil Co., on 5-06-91, 1991. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

(Signed) [Signature]
Right of Way Agent

FACSIMILE TRANSMITTAL SHEET

KENNEDY OIL COMPANY, INC.
P.O. BOX 5349
1203 COURTESY ROAD
HIGH POINT, NC 27262
FAX # (919)885-5162

TRANSMITTAL SHEET PLUS 3 PAGES

TRANSMISSION DATE: 2-17-93 TIME: 9:35 AM

TO: Sharon Cihak

FROM: Harold Ridge

COMMENTS: Letter concerning McFamb's Gro

TELEPHONE (919) 885-5184 IF TRANSMISSION IS NOT LEGIBLE