

**Brownfields Property Application**  
North Carolina Brownfields Program  
[www.ncbrownfields.org](http://www.ncbrownfields.org)

**I. PROSPECTIVE DEVELOPER (PD) INFORMATION {USE TAB KEY TO GET TO NEXT DATA ENTRY LINE – DO NOT USE THE RETURN KEY}**

A. PD information:

Entity name	Town of Aberdeen
Principal Officer	Bill Zell, Town Manager
Representative	Daniel Martin, Community/Downtown Development Planner
Mailing Address	115 North Poplar Street Aberdeen, North Carolina 28315
E-mail address	<a href="mailto:bzell@townofaberdeen.net">bzell@townofaberdeen.net</a>
Phone No.	910-944-1115
Fax No.	910-944-3672
Web site	<a href="http://www.townofaberdeen.net">www.townofaberdeen.net</a>

B. PD contact person information (i.e., individual who will serve as the NCBP's point of contact if different than above):

Name	<a href="#">Daniel Martin, Community/Downtown Development Planner</a>
Company	<a href="#">Town of Aberdeen</a>
Mailing Address	<a href="#">115 North Poplar Street Aberdeen, North Carolina 28315</a>
E-Mail Address	<a href="mailto:dmartin@townofaberdeen.net">dmartin@townofaberdeen.net</a>
Phone No.	<a href="#">910-944-4506</a>
Fax No.	<a href="#">910-944-3672</a>

C. Information regarding all parent companies, subsidiaries or other affiliates of PD (attach separate sheet(s) if necessary):

**(Use for LLCs)**

Member-managed or manager-managed? **Answer:** [Not Applicable](#)

If manager-managed, provide name of manager and percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

For all LLCs, list all members of the LLC and provide their percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Managers of manager-managed LLCs are required to execute all brownfield documents for the LLC; as to member-managed LLCs, state name of member who will sign these documents.

List all parent companies, subsidiaries and other affiliates:

**(Use for Partnerships)**

Check one:  General Partnership  Limited Partnership

List all partners and percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Is this person a general or limited partner?

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Is this person a general or limited partner?

List all parent companies, subsidiaries and other affiliates:

**(Use for corporations other than LLCs)**

*(If information is the same as shown in 1.A., please indicate "same as 1.A." below.)*

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

List all parent companies, subsidiaries and other affiliates:

**(Use for individuals)**

*(If individual is the same as shown in 1.A., -please indicate "same as 1.A." above.)*

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

- D. Does PD have or can it obtain the financial means to fully implement a brownfields agreement and assure the safe reuse of the property? *(Attach supporting documentation such as letters of credit, financial statements, etc.)*

Answer      **Yes**

Explanation    **The Town of Aberdeen has obtained grants for petroleum and hazardous site assessments from the USEPA Brownfields Program totalling \$400,000 that can be used to conduct the needed assessment and cleanup planning.**

- E. Does PD have or can it obtain the managerial means to fully implement a brownfields agreement and assure the safe use of the property?

Answer      **Yes**

Explanation The Town of Aberdeen has planning professionals on staff who are capable of guiding the project through complete implementation of the requirements of a brownfields agreement. Additionally, they have contracted with Cardno, Inc., an international environmental, planning, and civil engineering consulting firm, to conduct the technical aspects required for compliance with the brownfields agreement.

- F. Does PD have or can it obtain the technical means to fully implement a brownfields agreement and assure the safe use of the property?

Answer Yes

Explanation In addition to qualified managerial staff and their technical abilities, the Town of Aberdeen has contracted with Cardno, Inc., an international environmental, planning, and civil engineering consulting firm, to conduct technical aspects required for compliance with the brownfields agreement. The assessment and remediation that is conducted on behalf of the town will meet requirements of the North Carolina Department of Environmental Quality (NCDEQ) and the United States Environmental Protection Agency (USEPA) with respect to property use.

- G. Does PD commit that it will comply (and has complied, if PD has had a prior project in the NCBP) with all applicable procedural requirements of the NCBP, including prompt payment of all statutorily required fees?

Answer Yes

*(List all NCBP project name(s) and NCBP project ID numbers where PD or any parent company, subsidiary and other affiliate of PD has been a party to.)*

The Town of Aberdeen has not previously conducted NCBP projects.

- H. Does PD currently own the property?

Answer No

If yes, when did PD purchase the property and from whom? *(Provide name, address, telephone number and email address of the contact person for the current property owner.)*

N/A

If no, provide the name, address, telephone number and e-mail address of the contact person for the current property owner

DGM Property Management, LLC  
4634 NC Hwy. 73  
West End, NC 27376  
803.719.6200

- I. If PD does not currently own the property, does PD have the property under contract to purchase?

Answer        **No. The property is not currently under contract.**

If yes, provide date of contract.

If no, when does the PD intend to purchase the property (e.g., after the project is determined to be eligible for participation in the NCBP, after PD receives a draft BFA, after the conclusion of the brownfields process)? Note: the Act requires the PD to demonstrate that it intends to either buy or sell the property.

**After the Town of Aberdeen receives a draft brownfields agreement, the site assessment is completed, the remediation requirements are delineated, and favorable terms are negotiated, the Town may consider acquiring the property.**

- J. Describe all activities that have taken place on the property since PD or PD's parents, subsidiaries and/or other affiliates, and/or lessees or sublessees of PD, took ownership of or operated at the property (e.g., industrial, manufacturing or commercial activities, etc.). *(Include a list of all regulated substances as defined at NCGS § 130A-310.31(b)(11) that have been used, stored on, or otherwise present at the property while those activities were conducted, and explain how they were used.)*

**The Town of Aberdeen does not own the property and has not directed activities at the site. The property has been vacant.**

## II. SITE INFORMATION

- A. Information regarding the proposed brownfields property:

Proposed project name        **Former Aberdeen Tire Site**

acreage **0.7** street address(es)    **201 South Pinehurst Street**

city **Aberdeen**                    County    **Moore**                    zip            **28315**

tax ID(s) or PIN(s)        **857013131155**

past use(s)            The property was used as a gas station from about 1924 until the 1960s. Later the property was used as a produce stand, a general store, a jewelry repair shop, and finally as Aberdeen Recapping from before 1992 until after 2008.

current use(s)        Vacant and for sale

cause(s)/source(s) of contamination:

known                none

suspected            Past uses of the property as a gas station and as a tire recapping business. There are eight abandoned USTs believed to be remaining in the ground on-site. The abutting property to the east is an operating gas station with USTs, a release from which could impact the site.

- B. Regulatory Agency Involvement: List the site names and all identifying numbers (ID No.) previously or currently assigned by any federal, state or local environmental regulatory agencies for the property. The ID No's may include CERCLIS numbers, RCRA generator numbers for past and present operations, UST database, Division of Water Quality's incident management database, and/or Inactive Hazardous Sites Branch inventory numbers. *(In many instances, the PD will need to actively seek out this information by reading environmental site assessment reports, reviewing government files, contacting government officials, and through the use of government databases, many of which may be available over the internet.)*

Agency Name/ID No: None found

Agency Name/ID No:

Agency Name/ID No:

Agency Name/ID No:

Agency Name/ID No:

- C. In what way(s) is the property abandoned, idled, or underused?

The property is vacant and no activities have been conducted on-site for years.

- D. In what way(s) is the actual or possible contamination at the property a hindrance to development or redevelopment of the property (attach any supporting documentation such as letters from lending institutions)?

Contaminated soils and groundwater may be encountered during redevelopment activities. Depending upon the type of redevelopment/re-use, risk to the public or occupants through contact with soils may exist unless proper assessment and management is conducted. Depending on findings, engineering and/or administrative restrictions may be required for the property and building.

- E. In what way(s) is the redevelopment of the property difficult or impossible without a brownfields agreement (attach any supporting documentation such as letters form lending institutions)?

Owner and lender liability protections afforded under Brownfields statutes would be needed to achieve the appropriate use, based on potential impact remaining on-site. Obtaining political and capital support for redevelopment would be difficult or impossible without qualification of risk afforded by the Brownfields assessment and remediation grants.

- F. What are the planned use(s) of the redeveloped brownfields property to which the PD will commit? Be as specific as possible.

A commercial retail redevelopment into a coffee shop, restaurant, or gift store is currently being considered.

- G. Current tax value of brownfields property: \$\$165,340

- H. Estimated capital investment in redevelopment project: \$\$100,000

- I. List and describe the public benefits that will result from the property's redevelopment. Be as specific as possible. *(Examples of public benefits for brownfields projects include job creation, tax base increases, revitalization of blighted areas, preserved green space, preserved historic places, improving disadvantaged neighborhood quality-of-life related retail shopping opportunities, affordable housing, environmental cleanup activities or set asides that have community or environmental benefits. In gauging public benefit, NCBP places great value upon letters of support from community groups and local government that describe anticipated improvements in quality of life for neighboring communities that the project will bring about. The inclusion of such support letters with this application is recommended and encouraged.)*

Revitalization of the Aberdeen Tire Site is needed to improve the quality of life of adjacent residential properties and enhance the image of the Town of Aberdeen, since the site is a gateway property into downtown. The planned commercial retail redevelopment usage not only will reestablish a solid tax base for the property itself, it will increase surrounding property values/tax base, and also create a meeting place for the residents to rekindle a sense of community that is commonly lost in neighborhoods with blighted properties. This redevelopment may also serve as a catalyst for additional development and investment in the area.

Redevelopment of the site would prevent potential hazards to human health that are common with blight, such as attracting stray dogs, cats and nesting snakes. The environmental benefits of assessment and remediation include removing potentially contaminated soils and groundwater that could impact adjacent properties, the adjacent creek, and provide sources for vapor intrusion into the target property building.

Special Note: Please describe all environment-friendly technologies and designs PD plans to utilize in its redevelopment strategy. For example, environment friendly redevelopment plans could include: Leadership in Energy and Environmental Design (LEED) Certification, green building materials; green landscaping techniques such as using drought resistant plants; energy efficient designs, materials, appliances, machinery, etc.; renewable sources of energy, and/or recycling/reuse of old building materials such as brick or wood.

The Town of Aberdeen will consider and encourage the use of environment-friendly designs in the redevelopment planning stages. The redevelopment of the site means a reduced

environmental impact on outlying greenfield (ie, unimproved, natural state) properties due to the reuse of the current infrastructure and utilities. The Town will ensure that "Smart Growth" building practices are in place for the redevelopment, and the Town intends to give higher preference to consultants that use more "green" methods of remediation technologies and use of renewable energy technologies.

- J. Who will own the brownfields property when the Notice of Brownfields Property is filed with the register of deeds at the conclusion of the brownfields process? (If information is the same as 1.A. above, please indicate.)

Name Same as 1.A.

Mailing Address

E-Mail Address

Phone No.

Fax No.

### III. OTHER REQUIRED INFORMATION

- A. Brownfields Affidavit: PD must provide its certification, in the form of a signed and notarized original of the unmodified model brownfields affidavit provided by NCBP, that it did not cause or contribute to contamination at the property and that it meets all other statutory eligibility requirements. *(Note: The form to use for this affidavit is attached to this application. It must be filled out signed notarized, and submitted with this application.)*  
Is the required affidavit, as described above, included with this application?

Answer Yes

- B. Proposed Brownfields Agreement Form: PD must provide the completed form Proposed Brownfields Agreement. *(Note: The form to use for this document is attached to this application. It must be filled out, initialed, and attached on your submittal.)*  
Is the required Proposed Brownfields Agreement, as described above, included with this application?

Answer Yes

- C. Location Map: PD must provide a copy of the relevant portion of the 1:24,000 scale U.S.G.S. topographic quadrangle map that shows the property clearly plotted, and that measures at least an 8 ½ by 11 inches. *(Note: these maps can be purchased through the above link, or often through retail outdoor recreation stores that can print out the relevant map. Often environmental reports have location maps that use this type of map as the base for its location map.)*  
Is the required location map included with this application?

Answer Yes

D. Survey Plat: PD must provide a preliminary survey plat of the brownfields property with the property boundaries clearly identified, and a metes and bounds legal description that matches the property description on the plat. At this stage of the brownfields process; one or more existing survey plats from a previous property conveyance will suffice. *(Before the brownfields project enters the public comment phase of the brownfields process, the PD will be required to submit a final brownfields survey plat which includes the information listed in the brownfields [survey plat guidance](#).)*

Is the required preliminary survey plat included with this application?

Answer Yes

E. Site Photographs: PD must provide at least one pre-redevelopment photograph of the property, in either hard copy or electronic format that shows existing facilities and structures. **Please note that the NCBP prefers to have electronic photos instead of or in addition to hard copies. Electronic copies of photographs should be emailed to: [Shirley.Liggins@ncdenr.gov](mailto:Shirley.Liggins@ncdenr.gov) with a clear indication as to which Brownfields Application they apply to.**

Are photographs of the property included with this application?

Answer Yes

Have electronic copies of the photographs been emailed to NCBP?

Answer Yes

F. Environmental Reports/Data: If it makes an affirmative eligibility determination, the NCBP will request that PD provide any and all existing environmental reports and data for the property on **CD only**. The brownfields process may be expedited if PD submits such reports/data with this application.

Are any environmental reports/data being submitted with this application?

Answer Yes

If environmental reports/data are being submitted with this application, please provide the **title**, **date** and **author** of each item being submitted:

**Phase I Environmental Site Assessment (ESA), Former Aberdeen Tire Site, November 24, 2014.**

**UST Scan Results, September 15, 2015.**

#### IV. ADDITIONAL REQUIRED FORMS

**The following forms are to be filled out and submitted with the application including the Responsibility and Compliance Affidavit and the Proposed Brownfields Agreement. Submittal of the Affidavit requires signature and notarization, and the Proposed Brownfields Application requires an initial.**



# Preliminary Proposed Brownfields Agreement

## I. Property Facts

a. Property Address(es): 201 South Pinehurst Street, Aberdeen, North Carolina 28315

b. Property Seller: DGM Property Management, LLC

c. Property Buyer: Town of Aberdeen

d. Brief Property Usage History: The property was used as a gas station from about 1924 until the 1960s. Later the property was used as a produce stand, a general store, a jewelery repair shop, and finally as Aberdeen Recapping from before 1992 until after 2008.

e. The planned reuse will potentially involve the following use classification(s) (check all that apply):

- School/childcare/senior care
- Residential
- Commercial, retail (specify)
- Other commercial (specify)
- Office
- Light industrial
- Heavy industrial
- Recreational
- Open space
- Other (specify)

## II. Contaminant Information

a. The contaminant situation at the property is best described by the following (check all that apply):

- Contaminants are from an on-property source(s)
- Contaminants are from an off-property source(s)
- Contaminants are from an unknown source(s)
- Contaminants have not yet been documented on the property

b. Contaminated Media Table. (If known, check appropriate boxes below)

Contaminant Types	Soil		Groundwater and/or Surface Water		Private Wells		Vapor Intrusion	
	known	Suspected	known	Suspected	known	suspected	known	suspected
o r g a n i c s	Chlorinated Solvents (list):							
	Petroleum: ASTs <input type="checkbox"/> USTs <input checked="" type="checkbox"/> Other <input type="checkbox"/>		X		X			
	Other (list):							
i n o r g a n i c s	Metals (list):							
	Other (list):							

**III. Protective Measures**

I am prepared to take steps necessary to make the property suitable for its planned uses while fully protecting public health and the environment. I propose that NCBP consider a brownfields agreement that will make the property suitable for the planned use(s) through the following mechanism(s) (check all that apply):

- Contaminant remediation to risk-based levels.
- Engineered Controls (e.g., low permeability caps, vapor mitigation systems, etc)
- Land use restrictions that run with the land that will restrict or prohibit uses that are unacceptable from a risk assessment/management perspective. (*Important Note: In any*

*final brownfields agreement generated by the NCBP, land use restrictions will ultimately come with the continuing obligation to submit an annual certification that the Land Use Restrictions are being complied with and are recorded at the applicable register of deeds office.)*

#### **IV. Fees**

In connection with a brownfields agreement, the Act requires that the developer pay fees to offset the cost to the Department of Environment and Natural Resources and the Department of Justice. In satisfaction of the Act, the following fees apply to any brownfields agreement that is developed for this project, subject to negotiation of the brownfields agreement:

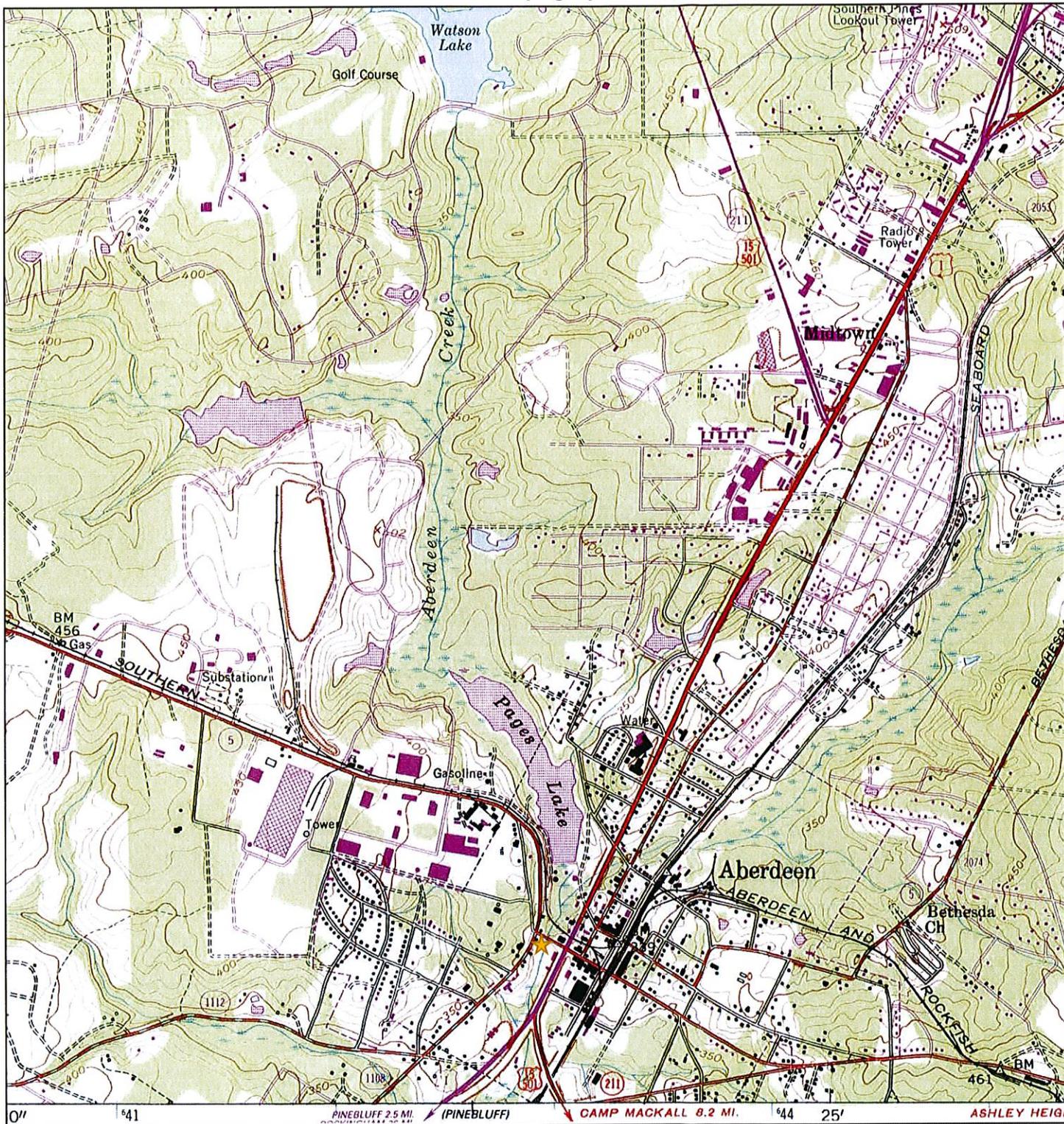
- a. A \$2,000 initial fee will be due from the applicant PD when **both** of the following occur:
  - 1) NCBP receives this application and proposed brownfields agreement, AND
  - 2) NCBP notifies the applicant in writing that the applicant PD and the project are eligible for participation in the NCBP and continued negotiation of a brownfields agreement.
- b. A second fee of \$6,000 will be due from the PD prior to execution of the brownfields agreement. Should the prospective developer choose to negotiate changes to the agreement that necessitate evaluation by the Department of Justice, additional fees shall apply.
- c. Any addendum/modifications to the BFA or NBP after they are in effect will result in an additional fee of at least \$1,000.
- d. In the unexpected event that the environmental conditions at the property are unusually complex, such that NCBP's costs will clearly exceed the above amounts, NCBP and PD will negotiate additional fees.

BJ Please check this box and initial in space provided to indicate your acknowledgement of the above fee structure.

Date of Submittal: 12/8/2015

**Attachment 1:**  
**USGS Topographic Quadrangle Map**

# Historical Topographic Map



	<b>TARGET QUAD</b> NAME: SOUTHERN PINES MAP YEAR: 1984 PHOTOREVISED FROM : 1957 SERIES: 7.5 SCALE: 1:24000	SIT NAME: Aberdeen Tire ADDRESS: 201 South Pinehurst Street Aberdeen, NC 28315 LAT/LONG: 35.132 / -79.4311	CLIENT: Cardno TBE CONTACT: Craig Dukes INQUIRY#: 4140088.4 RESEARCH DATE: 11/20/2014

Attachment 2:  
Plat & Deeds

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Three Thousand Dollars (\$3,000.00) and other good and valuable consideration paid to GARRETT MCKENZIE and his wife, JUANITA MCKENZIE, hereinafter referred to as GRANTOR, by MOORE COUNTY, a municipal corporation, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer and convey unto the GRANTEE, its successors and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a pipe line to contain and transport sewage upon, along, over, under, through and across the lands of the GRANTOR, situate in Moore County, State of North Carolina, said land being described as follows:

In Sandhill Township, particularly described in a deed recorded in Book 315, Page 370, Office of Register of Deeds of Moore County, together with the right of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns, for the purposes of this easement.

The easement shall be fifteen (15) feet in width on each side of the survey line, and the construction easement shall be twenty five (25) feet on each side of the survey line, which is described as follows:

*Clayton*

BEGINNING at a point in the south line of Garrett and Juanita McKenzie's property, said beginning point being designated as Station #1, on the accompanying plat entitled, "Exhibit A, Moore County Sewer Easement, Garrett and Juanita McKenzie Property, Aberdeen, N. C.; running thence from said beginning point North 21° 48.6' East 116.81 feet to Station #2; thence North 5° 21' East 39.28 feet to Station #3, in Garrett and Juanita McKenzie's north property line.

For further description, see Plat of C. H. Blue, dated March 19, 1975, marked "Exhibit A", and hereto attached.

Grantors also give and grant unto the Grantee, its agents, employees and contractors, the full right and privilege during construction of its sewage system, to use the entire lot or tract of land above described, as shown by deed recorded in Book 315, Page 370, Office of Register of Deeds of Moore County, not inconsistent with the normal maintenance and operation of the recapping shop located on the property. The surface of said land to be leveled and restored as nearly as reasonably possible to its original state by Grantee, its agents and contractors, when construction of sewage system is complete.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, his successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, his successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument, this 15<sup>th</sup> day of January, 1976.

*Garrett McKenzie* (SEAL)  
Garrett McKenzie

*Juanita McKenzie* (SEAL)  
Juanita McKenzie

STATE OF NORTH CAROLINA

COUNTY OF MOORE

I, Clayton L. Speer, a Notary Public, do hereby certify that Garrett McKenzie and his wife, Juanita McKenzie, personally appeared before me this day and acknowledged the due execution of the annexed easement for the purposes therein expressed.

Witness my hand and notarial seal, this 15<sup>th</sup> day of January, 1976.

Clayton L. Speer  
Notary Public

My commission expires: April 2, 1980

(N-SEAL-P)

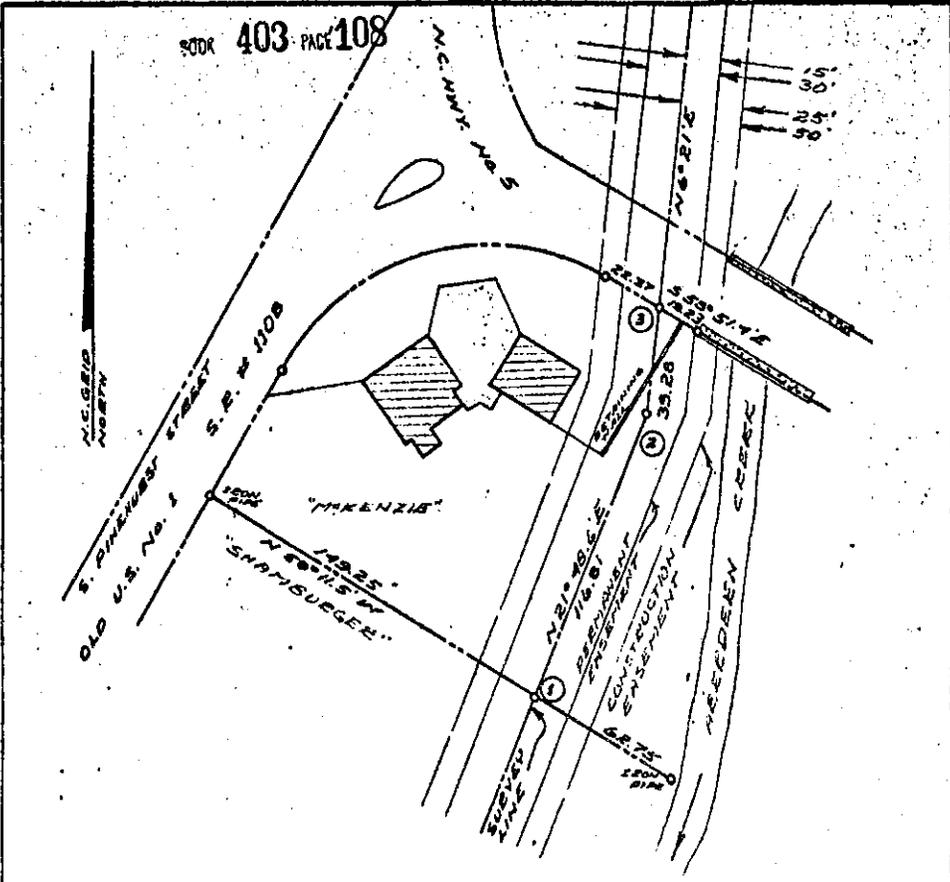
NORTH CAROLINA - MOORE COUNTY  
The foregoing (or annexed) certificate of  
Clayton L. Speer, Notary Public  
Moore County,  
STATE OF N. C., is certified to be  
correct. This January 15, 1976.  
Grier Gilmore  
Register of Deeds

Mary R. Phillips Assistant

FILED  
BOOK 403 PAGE 106

JAN 15 3 13 PM '76

GRIER GILMORE  
REGISTER OF DEEDS  
MOORE COUNTY, N.C.



NOTE: Permanent Easement is 30 feet wide.  
 Construction Easement is 50 feet wide.

0.11 acres in Permanent Easement.  
 0.18 acres in Construction Easement.

EXHIBIT "A"  
 MOORE COUNTY SEWER EASEMENT  
 GARRET and JUANITA MCKENZIE PROPERTY  
 ABERDEEN, N.C.

REFERENCE: DEED BOOK , PAGE  
 MOORE COUNTY REGISTER.

	Township <u>SANDHILL</u> County <u>MOORE</u>
	Date <u>MARCH 19, 1925</u> Scale <u>1" = 50'</u>
	Surveyed by <u>C. H. Blue</u> R.L.S. No. <u>642</u>
	C. H. Blue and Associates Southern Pines, N. C.

Revised:

FOR REGISTRATION REGISTER OF DEEDS  
Judy D. Martin  
Moore County, NC  
November 30, 2010 08:20:37 AM  
Book 3811 Page 187-188  
FEE: \$22.00  
INSTRUMENT # 2010016181

HM

Stovall



INSTRUMENT # 2010016181

This instrument was prepared by:  
J. Hunter Stovall  
Attorney at Law  
P. O. Box 536  
Southern Pines, NC 28388

No Title Examination Performed by Drafting Attorney

NORTH CAROLINA  
MOORE COUNTY

WARRANTY DEED

**THIS DEED**, made this 24th day of November, 2010, by **DANNY LEE McKENZIE and wife, MACY G. McKENZIE**, Grantor, 100 West Circle Dr., Lexington, SC 29072 to **DGM PROPERTY MANAGEMENT, LLC**, a North Carolina Limited Liability Company, Grantee; Mailing Address: 100 West Circle Dr., Lexington, SC 29072

WITNESSETH:

That said Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, that certain lot, tract, or parcel of land situated in Sandhill Township, Moore County, North Carolina, and more particularly described as follows:

Property located at 201 S. Pinehurst St., Aberdeen, North Carolina, LRK # 0052731, being described on Exhibit A attached hereto and made a part hereof.

This conveyance is made subject to enforceable reservations, easements, restrictions and covenants of record, matters shown on the above plat, ad valorem taxes for the current year and zoning or other municipal ordinances.

For reference see deed recorded in Book 315, Page 370, Moore County Registry. Also see Estate File of Juanita F. McKenzie, Moore County Clerk of Superior Court.

The above described property was \_\_\_ was not X the principal residence of the Grantor.

Macy G. McKenzie, spouse of Danny Lee McKenzie, joins in this conveyance to convey any interest, if any, she has in the property described herein and does not join in the warranties.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the hereinabove stated exceptions, reservations and conditions.

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee and has the right to convey in fee simple; that the 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; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

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.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand and seal, the day and year first above written.

*Danny Lee McKenzie* (SEAL)  
DANNY LEE McKENZIE

*Macy G. McKenzie* (SEAL)  
MACY G. McKENZIE

STATE OF NORTH CAROLINA  
COUNTY OF MOORE

I, a Notary Public, of the County and State aforesaid, certify that **Danny Lee McKenzie and wife, Macy G. McKenzie** personally came before me this day and \_\_\_ I have personal knowledge of the identity of the principal, \_\_\_ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photo in the form of a \_\_\_\_\_, or \_\_\_ a credible witness has sworn to the identity of the principal; each acknowledging to me that he or she voluntarily signed the foregoing document for the purposes stated therein.

Date: 11/24/10

*Kimberli C Maness*  
Notary Public Signature  
Kimberli C Maness  
Printed Name of Notary  
My Commission Expires: 1-23-2013

