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PG: 1511-1513RECORDED:
12-06-2022

2022041213

NC FEE \$26.00

NEW HANOVER COUNTY, NC

10:44:36 AM

TAMMY THEUSCH PIVER

BY: SAMANTHA SPEAKER
DEPUTY

REGISTER OF DEEDS

Prepared by and return to:
Brock & Scott, PLLC
1315 Westbrook Plaza Drive, Suite 100
Winston-Salem, NC 27103

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

DECLARATION OF WITHDRAWAL
(N.C. Gen. Stat§ 136-96)

THIS DECLARATION OF WITHDRAWAL ("Withdrawal Declaration") is effective on the date of its recordation in the Office of the Register of Deeds of New Hanover County, North Carolina, and is made by Cape Fear Habitat for Humanity, Inc. ("Company"), a North Carolina nonprofit corporation.

WITNESSETH:

1. Reference is made to that certain North Carolina General Warranty Deed recorded in Book 351, Page 387 in the Office of the Register of Deeds of New Hanover County, North Carolina (the "Dedication"), which contains reference to a 7' (7-foot) alleyway abutting the southern boundary of the property acquired by Company via that Deed recorded in Book 6068, Page 716, and running across the property acquired by Company via that Deed recorded in Book 6600, Page 820, in the Office of the Register of Deeds of New Hanover County, North Carolina.

2. Pursuant to the Dedication, Emma W. Bellamy ("Dedicator") granted to the public and all persons owning or acquiring any title to or any interest in 805 N. 6th Street and 807 North 6th Street, Wilmington, New Hanover County, North Carolina 28401 certain rights for the use of the aforementioned alleyway as recorded in Deed Book 351, Page 387, New Hanover Registry.

3. Through intermediate conveyances, Company is successor in interest to 805 North 6th Street and 807 North 6th Street, Wilmington, New Hanover County, North Carolina 28401 and is the sole owner of the real property where said alleyway is located.

4. At no time since the original recording of the Dedication has the City of Wilmington, New Hanover County, or the North Carolina Department of Transportation exercised any acts of control over said alleyway by improving or maintaining it, or by any formal or informal action on the part of said City, County, or State.

5. Thus, pursuant to N.C. Gen. Stat. 136-96, said alleyway is conclusively presumed to be abandoned by the public for the purposes for which it was dedicated.

6. N.C. Gen. Stat. 136-96 provides that no abandonment of the public road is presumed until the Dedicator, or those claiming under the Dedicator, record a declaration withdrawing such strip, piece, or parcel of land from the prior public use dedication.

7. Company desires to withdraw the dedication of said alleyway by recording this Withdrawal Declaration pursuant to N.C. Gen. Stat. 136-96.

NOW THEREFORE, Company hereby declares the public use dedication of the aforementioned alleyway to be withdrawn in accordance with the requirements of N.C. Gen. Stat. 136-96. This Withdrawal Declaration shall be binding upon and inure to the benefit of Company and its successors and assigns.

IN WITNESS WHEREOF, Company has executed this Withdrawal Declaration on the 30th day of November, 2022.

COMPANY:

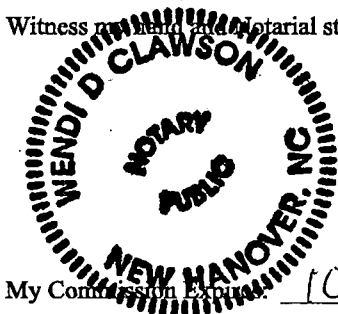
CAPE FEAR HABITAT FOR HUMANITY, INC.,
A North Carolina non-profit corporation

BY: Lauren McKenzie (SEAL)
Print Name: Lauren McKenzie
Title: Executive Director

State of North Carolina, County of New Hanover

I, Wendi D Clawson, the undersigned Notary Public of New Hanover County and State aforesaid, certify that Lauren McKenzie, Executive Director of Cape Fear Habitat for Humanity, Inc., a North Carolina non-profit corporation 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 30th day of November, 2022.



Wendi D. Clawson
Notary Public

My Commission Expires

10/2/2024

TAMMY THEUSCH
PIVER
Register of Deeds

New Hanover County Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



State of North Carolina, County of NEW HANOVER
Filed For Registration: 12/06/2022 10:44:36 AM
Book: RB 6610 Page: 1511-1513
3 PGS \$26.00
Real Property \$26.00
Recorder: SAMANTHA SPEAKER
Document No: 2022041213

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