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2017017318

NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY

REGISTER OF DEEDS

NC FEE \$26.00

**MEMORANDUM OF EXPIRATION OF LEASE**

Prepared by:

Smith, Anderson, Blount, Dorsett,  
Mitchell & Jernigan, L.L.P. (FCB) [No title opinion is expressed directly  
or indirectly by our preparation of this document]

After recording, return to:

Scott Sessions, Esq.  
The McGougan Law Firm  
130 Jefferson Street  
Whiteville, NC 28472

NORTH CAROLINA  
NEW HANOVER COUNTY

THIS **MEMORANDUM OF EXPIRATION OF LEASE** ("Memorandum") is made and entered into as of this 21<sup>st</sup> day of May, 2017, by and between **J & E DINKINS INC.**, a North Carolina corporation ("Tenant"), and **6737 MARKET, LLC**, a North Carolina limited liability company ("Landlord"). Landlord and Tenant are sometimes collectively referred to herein as the "Parties."

WHEREAS, Carl E. Gunter ("Original Landlord"), and Tenant entered into that certain Lease Agreement dated as of September 23, 2011 (the "Lease") with respect to the property more particularly described on **Exhibit A** attached hereto (the "Premises"); and

WHEREAS, Original Landlord conveyed the Premises to **JOHN F. GUNTER AND LAURA G. GUNTER** ("Gunters"), by Deed of Gift recorded in Book 5692, Page 1815, New Hanover County Registry; and

WHEREAS, to evidence of record the transfer of the Original Landlord's interest in the Lease to Gunters, an Assignment of Lease between Gunters and Landlord was recorded in Book 5710, Page 2124, New Hanover County Registry and

WHEREAS, Landlord and Tenant agree the Lease has expired by its terms; and

WHEREAS, the Parties desire to make such expiration of the Lease a matter of public record.

NOW, THEREFORE, the Parties declare that the Lease expired on March 31, 2017 and is of no further force or effect.

***[The remainder of this page intentionally left blank. Signature Pages Follow.]***

*[Signature Pages to Memorandum]*

IN WITNESS WHEREOF, the undersigned have duly executed these presents as of the day and year first above written.

LANDLORD:

**6737 Market, LLC, a North Carolina limited liability company**

By: \_\_\_\_\_

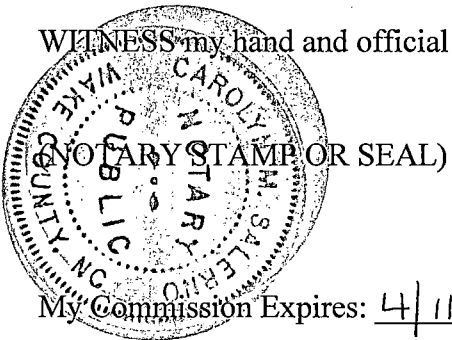
Name: John F. Gunter, Manager

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, a Notary Public of Wake County and the State aforesaid, certify that John F. Gunter, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that he is Manager of **6737 MARKET, LLC**, a North Carolina limited liability company, and that he, as Manager being authorized to do so, voluntarily executed the foregoing on behalf of the corporation for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 22 day of May, 2017.



Carolyn M. Salerno

Notary Public

Printed Name: CAROLYN M. Salerno

*[Signature Pages to Memorandum]*

IN WITNESS WHEREOF, the undersigned has duly executed these presents as of the day and year first above written.

TENANT:

**J & E DINKINS INC.,**  
a North Carolina corporation

By: 

Name: JOSEPH A. DINKINS, SR.

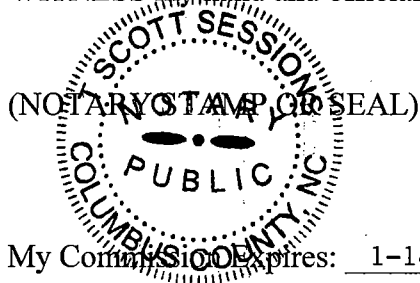
Title: MANAGER

STATE OF NORTH CAROLINA

COUNTY OF COLUMBUS

I, a Notary Public of COLUMBUS County and the State aforesaid, certify that JOSEPH A. DINKINS, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that he/she is PRESIDENT of **J & E DINKINS INC.**, a North Carolina corporation, and that he/she, as PRESIDENT, being authorized to do so, voluntarily executed the foregoing on behalf of the corporation for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 26TH day of May, 2017.



My Commission Expires: 1-14-2022



Notary Public

Printed Name: T. SCOTT SESSIONS

**EXHIBIT A**  
(The Premises)

6737 Market Street, Wilmington, North Carolina

**PARCEL 1**

BEING all of Lots 1, 2 and 4 as shown on map entitled "Map of Division for Dale Starbuck, III" recorded in Map Book 33, Page 383, New Hanover County Registry, reference to which map is hereby made for a more particular description.

LESS AND EXCEPTING FROM LOT 4 THE FOLLOWING:

BEGINNING at the point of intersection of the western line of the William T. Henry tract as recorded in Book 1354, Page 1759 of the New Hanover County Registry with the Southern Right of Way line of the Seaboard Coastline Railroad (now abandoned), said point of intersection being located North 21 degrees 01 minutes 30 seconds West 408.53 feet as measured along the Western line of the William R. Henry tract from a point in the Northern Right of Way line of U.S. Highway #17 that marks the Southeast corner of the David E. Block Et Ux tract formerly Joseph E. Cay recorded in Map Book 20, Page 100 of the New Hanover County Registry, said point in the Northern Right of Way line of U.S. Highway #17 being located 77.3 feet as measured Westwardly along the Northern right of way line of U.S. Highway #17 from a concrete culvert under said U.S. Highway #17, said above mentioned Southeast corner of the David E. Block tract being located 315.26 feet as measured Eastwardly along the Northern Right of Way line of U.S. Highway #17 from the Southeast corner of the James B. Noe Tract as shown on the above mentioned map recorded in Map Book 20, Page 100 of the New Hanover County Registry; running thence, from said beginning point, with the southern Right of Way line of the above mentioned Seaboard Coastline Railroad South 62 degrees 34 minutes 45 seconds west 201.05 feet to a point; running thence North 20 degrees 57 minutes 30 seconds West 62.90 feet to a point in the centerline of said Seaboard Coastline Railroad; running thence with the centerline of the Seaboard Coastline Railroad North 62 degrees 34 minutes 45 seconds East 200.98 feet to a point; running thence, South 21 degrees 01 minutes 30 seconds East 62.89 feet to the point of Beginning. Containing 0.288 acres more or less.

**PARCEL 2**

BEGINNING at the point of intersection of the western line of the William T. Henry tract as recorded in Book 1354, Page 1759 of the New Hanover County Registry with the Southern Right of Way line of the Seaboard Coastline Railroad (now abandoned), said point of intersection being located North 21 degrees 01 minutes 30 seconds West 408.53 feet as measured along the Western line of the William R. Henry tract from a point in the Northern Right of Way line of U.S. Highway #17 that marks the Southeast corner of the David E. Block Et Ux tract formerly Joseph E. Cay recorded in Map Book 20, Page 100 of the New Hanover County Registry, said point in the Northern Right of Way line of U.S. Highway #17 being located 77.3 feet as measured Westwardly along the Northern right of way line of U.S. Highway #17 from a concrete culvert under said U.S. Highway #17, said above mentioned Southeast corner of the David E. Block tract being located 315.26 feet as measured Eastwardly along the Northern Right of Way line of U.S. Highway #17 from the Southeast corner of the James B. Noe Tract as shown on the above mentioned map recorded in Map Book 20, Page 100 of the New Hanover County Registry; running thence, from said beginning point, with the southern Right of Way line of the above mentioned Seaboard Coastline Railroad South 62 degrees 34 minutes 45 seconds west 201.05 feet to a point; running thence North 20 degrees 57 minutes 30 seconds West 62.90 feet to a point in the centerline of said Seaboard Coastline Railroad; running thence with the centerline of the Seaboard Coastline Railroad North 62 degrees 34 minutes 45 seconds East 200.98 feet to a point; running thence, South 21 degrees 01 minutes 30 seconds East 62.89 feet to the point of Beginning. Containing 0.288 acres more or less.

TAMMY THEUSCH  
BEASLEY  
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



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State of North Carolina, County of NEW HANOVER  
Filed For Registration: 05/31/2017 10:57:50 AM  
Book: RB 6062 Page: 2515-2520  
6 PGS \$26.00  
Real Property \$26.00  
Recorder: CAROL HUGHLEY  
Document No: 2017017318

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**DO NOT REMOVE!**

This certification sheet is a vital part of your recorded document. Please retain with original document and submit when re-recording.