

**2019046125 00044**

FORSYTH CO. NC FEE \$26.00

PRESENTED & RECORDED:

11-15-2019 10:05:32 AM

LYNNE JOHNSON

REGISTER OF DEEDS

BY: ANGELA M THOMPSON

DPTV

BK: RE 3493**PG: 1147-1150****Original to:** *Shiloh Daum*STATE OF NORTH CAROLINA
FORSYTH COUNTYIN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION19 CVS 6722CORY L. STROUD and spouse, HEATHER S.
STROUD;

Landowner-Plaintiffs,

v.

N.C. DEPARTMENT OF TRANSPORTATION,
Defendant; andMORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. (MERS), and
FAIRWAY INDEPENDENT MORTGAGE
CORPORATION; Lienholders/Mortgagees.**MEMORANDUM OF ACTION****TAKE NOTICE:**

1. On November 15, 2019, Cory L. Stroud and spouse, Heather S. Stroud commenced the above-captioned civil action for inverse condemnation and other claims in the Superior Court of Forsyth County by filing a complaint and by the issuance of a summons pursuant to N.C. Gen. Stat. § 136-111. Said complaint stated a claim for inverse condemnation against the North Carolina Department of Transportation ("NCDOT"), identified as Superior Court file number 19 CVS 6722.

2. **The real property affected by this action is commonly known and located as:**
 - a. **Address – 4187 Fiddler’s Way Court, Winston-Salem, NC, 27107; and**
 - b. **NC REID 6864489735000 (Forsyth County Tax PIN 6864-48-9735-000).**
3. **The affected property is also set forth in the complaint and described in the Forsyth County Public Register at Deed Book 2960, Pages 4089-4105.**
4. **The property is further identified as Lot No. 21, as shown on the Map of Oak Hill Place, Phase 3, Plat Book 48 at Page 32.**
5. The affected land is further identified in the “Notice of Adoption of Roadway Corridor Official Map for State Project 34839 (DOT Number U-2579 and U-2579A)”, filed in the Forsyth County Public Register Road on November 26, 2008 at Book R-2, Page 1-89, and Book 2863, page 3866-3927 (the "Eastern Loop") and identified as **Parcel No. 1603, shown at Book 2863, page 3921.**
6. Plaintiffs Cory L. Stroud and spouse Heather S. Stroud are the only entities, persons or residuary estates believed to hold current legal title in the affected real property. The potential parties, interests, and any potential liens or encumbrances are as follows:
 - a. Interested Parties:
 - i. **Plaintiffs Cory L. Stroud and spouse Heather S. Stroud;**
 1. 4187 Fiddler’s Way Court, Winston-Salem, North Carolina, 27107.
 - ii. **NC Department of Transportation;**
 1. 1 South Wilmington Street, 1501 Mail Service Center Raleigh, NC 27699-1501.

iii. **Mortgage Electronic Registration Systems, Inc. ("MERS")**, as the beneficiary, nominee and agent of the original lender, Fairway;

1. MERS c/o Corporation Trust Company
Corporation Trust Center, 1209 Orange St,
Wilmington, DE 19801.

iv. **Fairway Independent Mortgage Corporation;**

1. Fairway c/o Corporation Service Company,
2626 Glenwood Avenue, Suite 550,
Raleigh, NC 27608

b. Disabilities of the Parties: None.

c. Liens and Encumbrances:

- i. Deed of Trust in favor of Mortgage Electronic Registration Systems, Inc. ("MERS"), as the beneficiary, nominee and agent of the original lender, Fairway Independent Mortgage Corporation, recorded in the Office of the Register of Deeds of Forsyth County at Book 2960, Pages 4091-4105.
- ii. Encumbrances imposed by statute under the Map Act, N.C. Gen. Stat. § 136-44.50, (1987) *et seq*, and the Notice of Adoption of Roadway Corridor Official Map, as referenced in the complaint.
- iii. There are no known liens or other security interests except as set forth in the complaint for inverse condemnation.

7. The acts and omissions of NCDOT constitute an actionable taking and/or substantial interference with Plaintiff's property rights as of the date(s) the property was encumbered, estimated to be on or about November 26, 2008.

This, is the 15th day of November 2019.



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