Prepared by: Matthew H. Bryant
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C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: RANDY L SMITH
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BK: RE 2964
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NORTH CAROLINA

FORSYTH COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
10 CVS 6926

BEROTH OIL COMPANY, PAULA AND KENNETH SMITH, BARBARA CLAPP, PAMELA MOORE CROCKETT, W.R. MOORE, N&G PROPERTIES, LLC,

Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Defendants.

MEMORANDUM OF ACTION

Take Notice

The above captioned Plaintiffs hereby record pursuant to the provisions of N.C. Gen. Stat. Section 136-111 this Memorandum of Action:

1. Plaintiffs **BEROTH OIL COMPANY, PAULA AND KENNETH SMITH, BARBARA CLAPP, PAMELA MOORE CROCKETT, W.R. MOORE, N&G**

PROPERTIES, LLC, have on or about the 16th day of September, 2010, filed in Forsyth County Superior Court a civil action captioned **BEROTH OIL COMPANY, PAULA AND KENNETH SMITH, BARBARA CLAPP, PAMELA MOORE CROCKETT, W.R. MOORE, N&G PROPERTIES, LLC,** v. **NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, 10 cvs** 6926 for inverse condemnation.

A Class Action has been filed in connection with this lawsuit.

- 2. The real properties affected by this action have mailing addresses of:

Plaintiff Beroth is the owner of real property located in Forsyth County at 1145 Bethania – Rural Hall Rd, Winston-Salem, tax block and lot 4948 / 055C.

- Plaintiff Pamela Moore Crockett is the owner of real property located in Forsyth County at Bethania Rural Hall Rd, Winston-Salem , tax block and lot 4969 018M.
- Plaintiff W.R. Moore is the owner of real property located in Forsyth County at Bethania Rural Hall Rd, Winston-Salem, tax block lot 4969 407 and 4969-018R
- Plaintiffs Paula and Kenneth Smith are the owners of real property located in Forsyth County at 632 Brookmont, Winston-Salem, tax block and lot 5633B 027.
- Plaintiff Barbara Clapp is the owner of real property located in Forsyth County at 4301 Meredith DR, Winston-Salem tax block and lot 5633E 001.
- Plaintiff N&G Properties, LLC. is the owner of real properties located in Forsyth County at 724 Bluffridge Trail Winston-Salem, tax block and lot 3899L 007; 716 Bluffridge Trail Winston-Salem, tax block and lot 3899L 005; 720 Bluffridge Trail Winston-Salem, tax block and lot 3899L 006; 705 Bluffridge Trail Winston-Salem, tax block and lot 3899L 047.
- Plaintiff Elton v. Koonce is the owner of real property located in Forsyth County at 4775 Dippen Road, Winston-Salem, tax block and lot 3008 021T.

3. The properties are more particularly described as follows set forth in paragraph 2 above and:

a) All properties in Roadway Corridor Map for State Project 6.62800IT in the Forsyth County Register of Deeds on October 6, 1997 at Book 1, Page 1-40 of the Transportation Corridor Book..

b) All properties recorded a Roadway Corridor Map for State Project 34839 (U-2779 and U-2579A) in the Forsyth County Register of Deeds on November 26, 2008 at Book R-2, Page 1-89, and Book 2863, page 3866-3927.

4. The only persons or entities who have, or claim to have, an ownership interest in the property are the Plaintiffs:

5. The estates or interests in the property which are alleged to have been taken for public use are:

Fee Simple

6. The takings in this case began upon filing DOT maps with the Register of Deeds and are ongoing as in the Complaint filed in the above-referenced action.

This the 16th day of September 2010.

Matthew Bryant
N.C. Bar No. 21947
Attorneys for Plaintiffs.

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