

Prepared by: Matthew H. Bryant
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FORSYTH CO, NC FEE \$18.00

PRESENTED & RECORDED:

09-16-2010 11:29:31 AM

C. NORMAN HOLLEMAN

REGISTER OF DEEDS
BY RANDY L SMITH
DPTY

BK: RE 2964

PG: 1169-1171

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FORSYTH COUNTY

10 CVS 6926

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

Plaintiff,)

MEMORANDUM OF ACTION

v.)

NORTH CAROLINA DEPARTMENT)
OF TRANSPORTATION)

Defendants.)

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
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Attorneys for Plaintiffs.

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