

Prepared by: Matthew H. Bryant

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FORSYTH CO, NC FEE \$26.00

PRESENTED & RECORDED:

12-18-2013 11:09:37 AM

C. NORMAN HOLLEMAN

REGISTER OF DEEDS
BY: S. GRIFFITH
DPT**BK: RE 3159****PG: 1884-1889****NORTH CAROLINA
FORSYTH COUNTY****IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION**

BEROTH OIL COMPANY, PAULA AND KENNETH SMITH, BARBARA CLAPP, PAMELA MOORE CROCKETT, W.R. MOORE, N&G PROPERTIES, LLC,	10 CVS 6926	)	MEMORANDUM OF ACTION Revised / amended
		)	
		)	
		)	
		)	
		)	
		)	
		)	
		)	
SHUGART ENTERPRISES, LLC	12 CVS 4851	)	
PATTON	12 CVS 4852	)	
STUMP, TRUSTEES	12 CVS 4853	)	
JADE ASSOCIATES LLC	12 CVS 4854	)	
CLAYTON, TRUSTEE	12 CVS 4855	)	
PEGRAM	12 CVS 4856	)	
TRIDENT PROPERTIES, LLC	12 CVS 4857	)	
MCALLISTER	12 CVS 4858	)	
MARSHALL	12 CVS 4859	)	
ALGOOD	12 CVS 4860	)	
SEIDELMANN	12 CVS 4861	)	
POPE	12 CVS 4862	)	
PATEE	12 CVS 4863	)	
MCFADDEN	12 CVS 4864	)	
MANN	12 CVS 4865	)	
HIATT	12 CVS 4866	)	
LITTLE	12 CVS 4867	)	
LEWIS	12 CVS 4868	)	
LAWSON	12 CVS 4869	)	
KINNEY	12 CVS 4870	)	
HAUSER	12 CVS 4871	)	
HAMPTON	12 CVS 4872	)	
FULK	12 CVS 4873	)	
EUDY	12 CVS 4874	)	

DILLON	12 CVS 4875	)
BULLINS	12 CVS 4876	)
CW MYERS TRADING POST	12 CVS 4916	)
Plaintiffs,		)
v.		)
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION		)
Defendant.		)

Take Notice

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

1. Plaintiffs have filed in Forsyth County Superior Court civil actions for inverse condemnation among other claims. The Parties and respective properties affected are:
 - 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.

2. Plaintiffs have filed in Forsyth County Superior Court civil actions for inverse condemnation among other claims. The Parties and respective properties affected are:
 - a. **Shugart Enterprises, LLC**, 12 cvs 4851, property located at

- i. Nylon Drive, Winston-Salem, Forsyth County, North Carolina tax block and lot 4947 / 205B;
 - ii. 4275 Oakridge Place Drive, Winston-Salem, Forsyth County, North Carolina tax block and lot 6462 / 060;
 - iii. 4265 Oakridge Place Drive, Winston-Salem, Forsyth County, North Carolina tax block and lot 6462 / 059;
 - iv. 2293 Robbins Perch West Court, Winston Salem, Forsyth County, North Carolina tax block and lot 5354H / 013;
 - v. 2285 Robbins Perch West Court, Winston Salem, Forsyth County, North Carolina tax block and lot 5354H / 012; and
 - vi. 2277 Robbins Perch West Court, Winston Salem, Forsyth County, North Carolina tax block and lot 5354H / 011.
- b. **Alfred Ray Patton & Donna L Patton**, 12 cvs 4852, property located at
 - i. Allgood Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4618 and 069A, 069E.
- c. **Franklin A Stump**, as Trustee of the Franklin A Stump Revocable Trust, & Minnie S Stump, as Trustee of the Minnie S Stump Revocable Trust, 12 cvs 4853, property located at
 - i. McGregor Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 3899 and 056D.
- d. **Jade Associates LLC**, 12 cvs 4854, property located at
 - i. 5855 Yadkinville Road, Pfafftown, Forsyth County, North Carolina, tax block and lot 4611 / 309B.
- e. **Alma C Clayton, Trustee**, 12 cvs 4855, property located at
 - i. Phelps Circle, Winston Salem, Forsyth County, North Carolina, tax block and lot 4950 / 007C, 010C.
- f. **Elaine Smith Pegram**, 12 cvs 4856, property located at
 - i. 1137 Village Oak Drive, Pfafftown, Forsyth County, North Carolina, tax block and lot 4969B / 014.
- g. **Trident Properties LLC**, 12 cvs 4857, property located at
 - i. Oak Tree Drive, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633F / 000A.
- h. **Judith T McAllister**, 12 cvs 4858, property located at

- i. 5615 Yadkinville Road, Pfafftown, Forsyth County, North Carolina, tax block and lot 4611 / 048M.
- i. **Andrew William Marshall, James David Marshall, Jennifer Marshall Herrin, Laura Jane Marshall Styers, and Susan E Marshall**, 12 cvs 4859, property located at
 - i. 2830 Marshallberg Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 3236A / 007.
- j. **Naomi L Algood**, 12 cvs 4860, property located at:
 - i. 5574 Robinhood Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4618 / 064B, 064C, 075; and
 - ii. Robinhood Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4619 / 009A.
- k. **John H Seidelmann & Rosemary S Seidelmann**, 12 cvs 4861, property located at
 - i. 628 Brookmont Drive, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633B / 028.
- l. **James Edward Pope & Wanda D Pope**, 12 cvs 4862, property located at
 - i. 202 Oak Grove Church Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5634 / 032B, 033D.
- m. **Ronnie D Patee & Vesta C Patee**, 12 cvs 4863, property located at
 - i. 708 Ansley Court, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633B / 050.
- n. **Kenneth Alan McFadden & Pamela O McFadden**, 12 cvs 4864, property located at
 - i. 724 Ansley Court, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633B / 046.
- o. **Ronald Carson Mann**, 12 cvs 4865, property located at
 - i. 4141 Fiddlers Way Court, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633F / 014.
- p. **Earl B Hiatt, Jr. & Crissman B Hiatt**, 12 cvs 4866, property located at
 - i. 5775 Germanton Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5147 / 043A and 5142 / 044, 045, 046
 - ii. Germanton Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5142 / 101

- iii. Germanton Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5147 / 302; and
 - iv. Germanton Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5147 / 043C.
- q. **Loren A Little & Margaret R Little**, 12 cvs 4867, property located at
 - i. 4705 Oakbury Court, Winston Salem, Forsyth County, North Carolina, tax block and lot 5634B / 007.
- r. **Henry A Lewis & Rebecca S Lewis**, 12 cvs 4868, property located at
 - i. 5718 Germanton Road, Winston-Salem, Forsyth County, North Carolina, tax block and lot 2245 / 001, 002, 003.
- s. **Kathryn L Lawson**, 12 cvs 4869, property located at
 - i. 5625 Yadkinville Road, Pfafftown, Forsyth County, North Carolina, tax block and lot 4611 / 048L, 079.
- t. **Lois K Kinney**, 12 cvs 4870, property located at
 - i. 6510 Reynolda Road, Pfafftown, Forsyth County, North Carolina, tax block and lot 4747 / 010H.
- u. **Gerolene Widener Hauser & Jessie Coell Hauser**, 12 cvs 4871, property located at
 - i. 5015 Hammond Street, Kernersville, Forsyth County, North Carolina, tax block and lot 5426A / 002.
- v. **Larry W Hampton & Marcelene Hampton**, 12 cvs 4872, property located at
 - i. 410 Eastcrest Drive, Kernersville, Forsyth County, North Carolina, tax block and lot 5350B / 019.
- w. **Michael David Fulk**, 12 cvs 4873, property located at
 - i. 879 Old Hollow Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 5146 / 086.
- x. **Krone Edward Eudy**, 12 cvs 4874, property located at
 - i. 4251 Acorn Lane, Winston Salem, Forsyth County, North Carolina, tax block and lot 5633F / 096.
- y. **Charles Ray Dillon & Judy Dillon**, 12 cvs 4875, property located at
 - i. 3380 Dillon Farm Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 3236 / 233;

- ii. New Walkertown Road, Winston Salem, Forsyth County, North Carolina tax block and lot 3236 / 108, 112;
- iii. 3386 Dillon Farm Road, Winston Salem, Forsyth County, North Carolina tax block and lot 3236 / 111; and
- iv. Dillon Farm Road, Winston Salem, Forsyth County, North Carolina tax block and lot 3236 / 107A, 107B.

z. **Billy Joe Bullins & Carolyn N Bullins**, 12 cvs 4876, property located at

- i. 4780 Dippen Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 3008 / 029C.

aa. **C W Myers Trading Post Inc.**, 12 cvs 4916, property located at:

- i. 421 Shumate Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4946 / 025B, 031A;
- ii. Allgood Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4618 / 072A;
- iii. Allgood Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4618 / 072E, 074E, 071F;
- iv. High Point Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 2633 / 013B;
- v. Montroyal Road, Winston Salem, Forsyth County, North Carolina, tax block and lot 4948 / 034, 035B, 036B, 037B, 038B, 039, 040, 041, 042, 043, 057L, 057M; and
- vi. Norman Drive, Winston Salem, Forsyth County, North Carolina, tax block and lot 4946 / 078.

3. The only persons or entities who have, or claim to have, an ownership interest in the property are the Plaintiffs and as listed in the complaints:

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

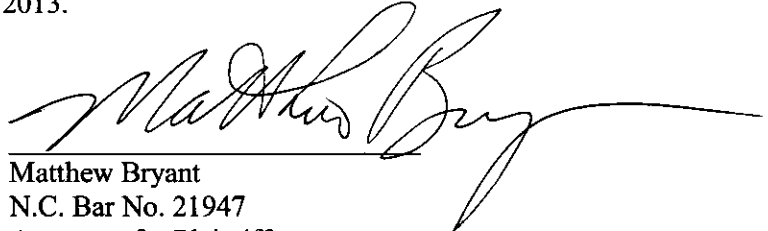
Fee Simple

5. The taking in this case began no later than the date of NCDOT filing DOT maps with the Register of Deeds on October 6, 1997 and November 26, 2008, and is ongoing as in the Complaint filed in the above-referenced action. Other dates of taking are possible dates of taking are :

a. April 1998, March 1999, June 1999, March 2004, October 1, 2004, March 2006,

January 11, 2007, February 15, 2008, August 2008, March 2010, July 30, 2010,
August 20, 2010, August 23, 2010, September 16, 2010, September 6, 2011,
November 15, 2011, December 22, 2010, Summer 2012, October 18, 2012

This the 18 day of December 2013.



Matthew Bryant
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