

action in the Superior Court of Wake County to acquire by condemnation the real property interests hereinafter described.

2. That the above-named defendants are the persons the plaintiff is informed and believes may have or claim to have an interest in the property.

3. The following matters are set forth in Exhibit A: a description of the entire tract or tracts of land affected by the taking and a statement and description of the property to be taken.

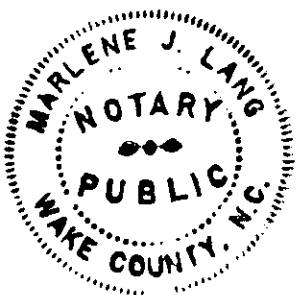
This 14th day of August, 2005.

BROWN & BUNCH, PLLC

By: [Signature]
LeAnn Nease Brown

101 N. Columbia Street
Chapel Hill, NC 27514
Telephone: (919) 968-1111

Attorneys for Plaintiff, Town of Cary



SEAL-STAMP

NORTH CAROLINA, Wake COUNTY.

I, a Notary Public of the County and State aforesaid, certify that LeAnn Nease Brown, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 14th day of August, 2005.

* Attorney for Brown & Bunch

[Signature]
NOTARY PUBLIC

My commission expires: 01/25/2005

10865\221\p\003Memorandum of Action

EXHIBIT A

FIRST PARCEL: Lying and situate in Buckhorn Township, Wake County, North Carolina, adjoining the right-of-way of the Seaboard Air Line Railway, the C. J. Bright Estate and others, and more particularly described and bounded by a line as follows:

BEGINNING at a stake in the Southern boundary line of the Seaboard Air Line Railway right-of-way S. Glass line; thence South $3^{\circ} 05'$ West 1356 feet to a lightwood stake; thence South 87° East 1021 feet to a stake; thence North $7^{\circ} 35'$ East 333 feet to a stake and pointers; thence South $69^{\circ} 20'$ East 1616 feet to an iron stake and pointers, corner for Bland and Seymour; thence North $5^{\circ} 0'$ East 661 feet to an iron pin corner of Bland and Stewart; thence North $8^{\circ} 10'$ East 885 feet to stake and pointers; thence South $83^{\circ} 50'$ East $61 \frac{1}{2}$ feet to a stake in a branch, thence up the meandering of said branch as follows: 497 feet to stake and pointers on East bank of said branch; continuing in a Northerly direction along said branch 970 feet to a stake and maple sprout on the East bank of said branch; thence North $86^{\circ} 5'$ West 980 feet to an iron pipe in the Southern line of the right of way of the Seaboard Air Line Railway, said iron pipe being 75 feet from the center of said right-of-way; thence along the Southern line of said right-of-way South $60^{\circ} 5'$ West 2235 feet to the point of beginning, containing 127.79 acres, according to survey made by E. W. Clements, Registered Land Surveyor, January 1929. See deed recorded in Book 568, page 356, Wake County Registry.

SECOND PARCEL: All that tract or parcel of land lying and elevate in Buckhorn Township, Wake County, North Carolina, adjoining the parcel above described and others and more fully described and bounded by a line as follows, to wit:

BEGINNING at an iron stake, E.F. Glass corner in C.R. Barker's line and runs with said Barker's line; 84° East 2 chains to a stake, said Barker's corner; thence with said Barker's line; South 7.62 chains to a stake at a branch, C. J. Bright's corner; thence with said Bright's line South 42° East 44.62 chains to a stake formerly a post oak in the line of William Bright; thence with said old William Bright line North 5° and 5' East, 42 chains to an iron stake, W. H. Bland's corner; thence North $84 \frac{1}{2}^{\circ}$ West 10 chains to an iron stake and pointers, said Bland's corner; thence North 70° West 25.90 chains to a stake and pointers, said T.B. Seagroves (Clark's corner); thence South $6 \frac{1}{4}$ West 11 chains to the beginning, containing 91.62 acres.



BOOK:011522 PAGE:01680 - 01683

Yellow probate sheet is a vital part of your recorded document. Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina - Wake County

The foregoing certificate of Maileve J. Lang

Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds
By: [Signature]
Assistant/Deputy Register of ~~DEEDS~~ **DEEDS**

This Customer Group
of Time Stamps Needed

This Document
New Time Stamp
of Pages
4