



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## County Attorney

## Board Action

File #: 19-503

Commissioner Philbeck - County Attorney - To Authorize the Conveyance of a Non-Warranty Deed to Lamar W. Stroupe

### STAFF CONTACT

Charles Moore - County Attorney

### BUDGET IMPACT

N/A

### BUDGET ORDINANCE IMPACT

N/A

### BACKGROUND

In 1973, Gaston County conveyed Parcel 132692 to Lamar W. Stroupe. The heirs of Mr. Stroupe are attempting to sell the parcel. There is a discrepancy between the legal description on the 1973 deed and the property as shown on GIS. The non-warranty deed will convey whatever interest the County may have in the subject property to the Stroupe heirs.

### POLICY IMPACT

N/A

### ATTACHMENTS

Deed & Exhibit A - Map

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFrale	BHovis	TKelgher	TPhilbeck	RWorley	Vote
2019-329	12/10/2019	BH	AF	A	A	A	A	A	A	A	U

### DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Drawn by: Samuel J. Shames, Asst. Co. Attorney, Gaston County  
PO Box 1578, Gastonia NC, 28053-1578

Mail to: Lamar W. Stroupe  
116 W. Trade Street, Dallas, NC 28034

**NORTH CAROLINA**

**QUITCLAIM DEED**

**GASTON COUNTY**

This deed, made and entered into this \_\_\_\_\_ day of December, 2019, by and between **GASTON COUNTY**, a political subdivision of the State of North Carolina having a mailing address of P.O. Box 1578, Gastonia, NC 28053-1578 (Grantor), and **LAMAR W. STROUPE**, a single man, residing in the State of North Carolina, having a mailing address of 116 W. Trade Street, Dallas, NC 28034 (Grantee).

**WITNESSETH:**

WHEREAS, the subject property, being Parcel Number 132692, is an unimproved parcel consisting of approximately 1.11 acres. The subject parcel does not have an assigned street address. Said parcel is located at the northeast corner of S. Davis Street and Carpenter Street in Dallas, NC; and

WHEREAS, Gaston County acquired title to the property in 1972 as a result of a tax foreclosure. This deed can be found in Book 1082 page 206 of the Gaston County Registry. The legal description was based upon a legal description taken in 1902, which is found in Book 93 Page 20 of the Gaston County Registry; and

WHEREAS, Gaston County conveyed the same property to Lamar W. Stroupe. This deed can be found in Book 1104 Page 559 of the Gaston County Registry. The legal description was based upon the 1972 deed; and

WHEREAS, appears that the legal description in the 1973 deed does not match the subject parcel, as reflected in this deed or Gaston County GIS; and

WHEREAS, a map attached as Exhibit "A" depicts the subject parcel that is being conveyed in this deed; and

WHEREAS, Lamar W. Stroupe has been paying property taxes for the subject property and per Gaston County GIS is the owner of the subject parcel; and

WHEREAS, Lamar W. Stroupe wishes to have Gaston County re-convey Parcel 132692 to him to clarify any issues concerning the dimensions of the parcel; and

WHEREAS, Gaston County is unaware of any third party claiming an ownership interest in the property; and

WHEREAS, Gaston County intended to convey in 1973 the entire 1.12 acres of Lamar W. Stroupe, and the intent of this deed is to convey whatever interest, if any, Gaston County might still have in this parcel as a result of the discrepancy in the legal description of the 1973 deed with what is shown on GIS, the attached survey, and the legal description of this deed. Gaston County is not making any warranty that it owns or has an ownership interest in the above-mentioned parcel.

Now, in consideration of the premises described above, Gaston County does by these presents, hereby bargain, sell, grant, and convey to Grantee, his heirs and assigns, that property situated in Gaston County, North Carolina, described as follows:

**PARCEL 132692**

Beginning at a IPF common corner with Lot 15; Plat Book 58 page 47; Chadwick Downs subdivision on the R/W of S. Davis St. in the Town of Dallas, N.C.;

THENCE with the South line of Chadwick Downs along lots 15 through Lot 11 South  $88^{\circ}30'33''$  East a distance of 431.25 feet to a IPF in Lot 10;

THENCE with Lot 10 and Lot 9 South  $03^{\circ}19'43''$  West a distance of 114.31 feet to an IPF corner of Lot 9 on the R/W of E. Carpenter St.;

THENCE with the R/W of E. Carpenter ST. North  $85^{\circ}17'36''$  West a distance of 111.65 feet to a point on a curve;

THENCE along a curve to the left having a radius of 942.68 feet, a delta of 14°19'02", an arc length of 235.56 feet, and a chord which bears South 88°38'13" West having a chord distance of 234.95 feet to a point on a line;

THENCE South 81°56'51" West a distance of 58.89 feet to a point of curve;

THENCE along a curve to the right having a radius of 20.00 feet, a delta of 99°30'43", an arc length of 34.74 feet, and a chord which bears North 48°17'48" West having a chord distance of 30.53 feet to a point on S. Davis St.;

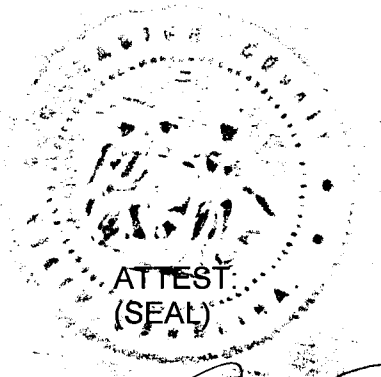
THENCE with the R/W of S. Davis ST. North 01°27'34" East a distance of 109.74 feet to a IPF which is the POINT OF BEGINNING, and containing 1.1096 acre(s) of land, more or less.


A map entitled "Chadwick Downs Phase 3 PB 58-47" depicting this legal description is attached as Exhibit A".

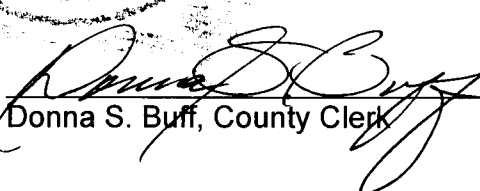
TO HAVE AND TO HOLD the aforementioned tract of land in fee simple, to Lamar W. Stroupe, his successors and assigns forever free and discharged from all right, claim or interest of the said Grantor or anyone claiming by, through, or under it.

IN TESTIMONY WHEREOF, said Grantor has caused this deed to be executed in its name by the Chairman of its Board of Commissioners, Tracy L. Philbeck, and attested by its Clerk, Donna S. Buff, and its seal duly affixed thereto, the day and year first above written.

**GASTON COUNTY**



  
Tracy L. Philbeck, Chairman  
Gaston Co. Board of County Commissioners

  
Donna S. Buff, County Clerk

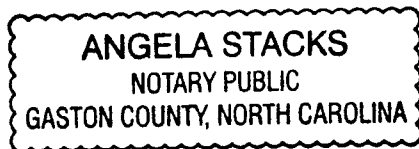
NORTH CAROLINA  
GASTON COUNTY

I, Angela Stacks, Notary Public, of the County of Gaston, do hereby certify that **Donna S. Buff**, personally came before me this day and acknowledged that she is the Clerk to the Board of County Commissioners, and that by authority duly given and as the act of the Gaston County Board of Commissioners, the foregoing instrument was signed in its name by **Tracy L. Philbeck**, its Chairman of the Board of County Commissioners, sealed with its corporate seal and attested by her as its Clerk to the Board of Commissioners.

Witness my hand and seal, this the 10<sup>th</sup> day of December, 2019.

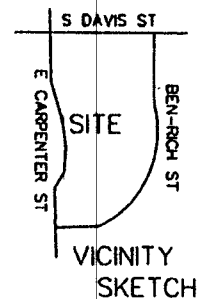
Angela Stacks  
Notary Public

My Commission Expires: August 8, 2024



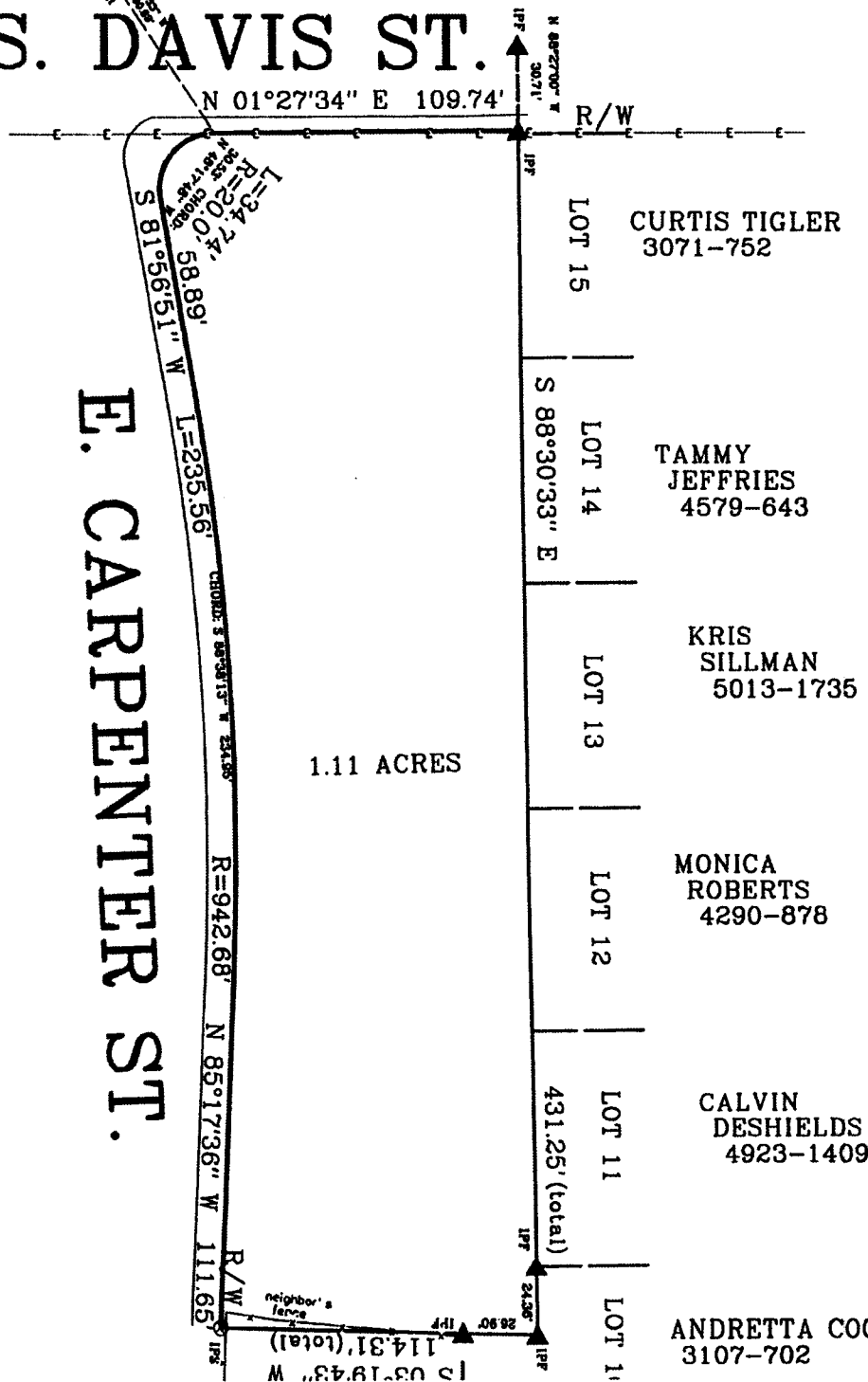
I, Robert T. Kelso, Professional Land Surveyor certify that this plot is drawn from an actual site survey by me of the physical monuments which are relevant to the deeds noted, improvements, and obvious easements, however; unobserved easements may exist, does not surveyed or drawn as noted; that the ratio of precision is as calculated as 1:10,000 that this plot is drawn in accordance with 21 NCAC 56.0802 as amended. Witness my original hand and seal this 6th day of November, 2019

*Robert T. Kelso*  
 Tom Kelso  
 Land Surveyor  
 P.O. Box 1583 RLS L-3145  
 GASTONIA, NC 28053  
 F-0983



**S. DAVIS ST.**

**E. CARPENTER ST.**



CHADWICK DOWNS PHASE 3 PB 58-47

Exhibit "A"