

STATE OF NORTH CAROLINA
UNION COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
15 CVS 01449

PROVIDENCE VOLUNTEER
FIRE DEPARTMENT, INC

Plaintiff

VS.

THE TOWN OF WEDDINGTON

Defendant

2015 JUL 10 A 10:17

UNION COUNTY, O.S.C.

NOTICE OF LIS PENDENS

This Notice of Lis Pendens, filed in the office of the Honorable Clerk of Court for Union County, North Carolina, shows and gives notice that:

1. A Civil Action has been filed in the General Court of Justice, Superior Court Division, in Union County, North Carolina. The action is identified as case number 15 CVS 001449.

2. The names of the parties of the action referred to above are Providence Volunteer Fire Department, Inc. as Plaintiff and the Town of Weddington as Defendant.

3. The nature and purpose of the above referenced action is an action for breach of contract, wrongful termination of Plaintiff's possessory right to the Real Property located in Union County, North Carolina (as more particularly described below), fraud in the inducement by the Defendant with respect to the Real Property, and certain injunctive relief sought by the Plaintiff regarding the possessory rights of the Plaintiff and requesting that the Court estop the potential lease or sale of said Real Property by the Town of Weddington to Wesley Chapel Volunteer Fire Department or to any other person or entity.

4. The description of the Real Property in Union County referred to above and to be affected by the pending case is as follows:

BEGINNING at a point 3.78 feet south of the center line of Hemby Road (North Carolina State Road No. 1346), said point being located S 49°18'42" E 421.14 feet west of a nail located at the intersection of the center line of Hemby Road with the center line of Weddington-Matthews Road; running thence with the westerly border of the lands of Ollie H. Manus, Trustee (see Deed Book 4163, at Page 522 of the Union County Public Registry) S 51°41'16" W, crossing an iron found at 31.02 feet, a total distance of 330.51 feet to an iron found in the northerly border of the lands of Leila L. Morris (see Deed Book 202, at Page 523 of the Union County Public Registry); thence with the northerly boundary of the aforesaid Morris land N 52°29'38" W 121.73 feet to

an iron found; thence with the easterly border of another tract owned by Leila Morris (see Deed Book 1403, at Page 533 of the Union County Public Registry) N 34°30'07" E, crossing an iron at 290.43 feet, a total distance of 320.43 feet to a point 2.42 feet south of the center line of Hemby Road; thence two calls as follows: (1) S 55°31'45" E 58.91 feet to a point in the center line of Hemby Road and (2) S 51°32'26" E 160.68 feet to the point and place of BEGINNING, containing 1.259 acres, more or less, per plat and survey by Carroll L. Rushing, NCPLS dated July 10, 2013, and being a portion of the property conveyed to Gerald Lee Morris by deed recorded in Book 198, at Page 316 of the Union County Public Registry and the same property conveyed to Grantor in Deed Book 386, at Page 101 of the Union County Public Registry.

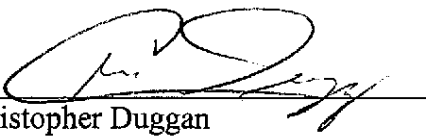
The Real Property is located at the street address of 5025 Hemby Road, Weddington, North Carolina.

5. This Notice of Lis Pendens is filed pursuant to the provisions of Chapter 1, Article 11 of the North Carolina General Statutes N.C.G.S. § 1-116, § 1-116(b)(1)-(4), and § 1-116.1 and North Carolina General Statute Chapter 39, Article 3A, et seq., and all persons shall take notice of the same.

This the 10th day of July, 2015.

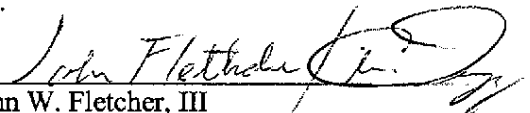
Counsel for Plaintiff:

The Duggan Law Firm, P.C.,

By: 
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HENDERSON, NYSTROM,
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By:

A handwritten signature in black ink, appearing to read "Robert E. Henderson", is written over a horizontal line.

Robert E. Henderson

State Bar # 8808

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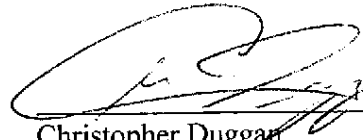
CERTIFICATE OF SERVICE

This is to certify that I have this day served

Anthony Fox, Esquire
Parker, Poe, Adams & Bernstein, LLP
Three Wells Fargo Center
401 South Tryon Street, Suite 3000
Charlotte, North Carolina 28202
Attorney for Defendant

in the foregoing matter with a copy of this Notice of Lis Pendens by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage thereon, in the manner prescribed by Rule 5 of the Rules of Civil Procedure.

This the 2nd day of July, 2015.



Christopher Duggan
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