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FILED
CHEROKEE COUNTY
DAPHNE DOCKERY
REGISTER OF DEEDS

FILED Oct 14, 2009
AT 03:19:34 pm
BOOK 01370
START PAGE 0455
END PAGE 0456
INSTRUMENT # 05842

Cherokee County 10-14-2009
NORTH CAROLINA
Real Estate
Excise Tax \$45.00

Excise Tax \$45.00

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. 455200285211000
Verified by Cherokee County on the 14 day of Oct, 2009
by [Signature]

Mail after recording to: THE CLOSING PLACE, PO Box 940, Murphy, NC 28906


This instrument prepared by: Steinbronn & McNew, PC, 20 Tennessee Street, Murphy, NC 28906

Brief Description for Index Tract 1, Mullins Property, 3.06 acres

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 9th day of October, 2009, by and between

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership

GRANTOR	GRANTEE
<p>BECKY E. BASFORD, single 3793 Glass Road Greenwood, FL 32443</p>	<p>HIBBERTS MOUNTAIN DEVELOPMENT, INC., a North Carolina Corporation 218 John Laurel Drive Murphy, NC 28906</p> <div style="text-align: right;">  </div>

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot of land situated in the City of, Shoal Creek Township, Cherokee County, North Carolina and more particularly described as follows:

All of that certain tract or parcel of land containing **3.06 acres**, more or less, being designated as **Tract #1, Mullins Property Subdivision**, Shoal Creek Township, Cherokee County, North Carolina, and being more particularly described according to a plat of survey by L.B. Adams, R.L.S., dated June 18, 1982 and from said plat described as follows:

BEGINNING on a point in the centerline of an existing access road which forms the Eastern boundary line of the hereindescribed Tract #1, the Northwest corner of Tract 2 and the Northeast corner of Tract 1, and runs thence with a line common to Richard Liberty along a chopped, flagged and painted line, North 84-53 West 491.00 feet to an iron pin, the Northwest corner of Tract #1; thence South 06-01 West 324.92 feet to a stone (found), the Southwest corner of Tract 1; thence South 85-54 East 355.24 feet to a point in the centerline of said access road, the Southeast corner of Tract #1 and the Southwest corner of Tract 2 (Newton), thence with the centerline of said road, and a line common to Tract 2, North 22-34 East 129.00 feet, and North 32-45 East 220.59 feet to the BEGINNING.

ALSO HEREIN CONVEYED is a non-exclusive, perpetual right-of-way and easement 22 feet in width over and across the existing subdivision access road hereindescribed for vehicular traffic access and power line access to North Carolina State Secondary Road #1311 for purposes of ingress, egress and regress for vehicular traffic and power line distribution to the hereindescribed property.

EXCEPTING AND RESERVING from this conveyance is a non-exclusive, perpetual right-of-way and easement, 22 feet in width over and across the existing subdivision access road for purposes of ingress, egress and regress for the remaining appurtenant lands of Grantor to North Carolina State Secondary Road #1311.

This conveyance is subject to the right-of-way and easement, a blanket utility easement, in favor of Blue Ridge Mountain Electric Membership Corporation to provide electricity to the herein-described property as described in that certain indenture recorded in Deed Book 457, Page 109, Office of the Register of Deeds of Cherokee County, North Carolina.

This conveyance is subject to a non-exclusive, perpetual right-of-way and easement for water rights to an existing spring in favor of the owner of Tract 2, Mullins Subdivision, which spring is situate about 15 feet South of the Southwest corner of Tract #1, together with the right to install an electric pump in or near said spring, to install and maintain an underground pipe and electric wires to provide for the conveyance of water to Tract #2, and for entry upon Tract #1 when the same is reasonably necessary for the purpose of inspecting, maintaining and repairing said pump, pipeline and electric wires, all to be located as is most practical and convenient to the owner of Tract 2.

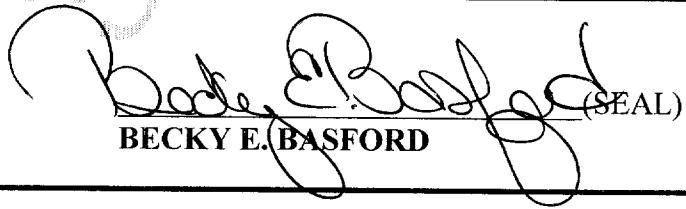
FOR SOURCE OF TITLE reference Deed Book 1321, Page 732, Cherokee County, North Carolina Registry.

NC9-8600

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

 (SEAL)
BECKY E. BASFORD

SEAL-STAMP

STATE OF FLORIDA
COUNTY OF Jackson

I, Martha L. Carr, a Notary Public of said State and County, do hereby certify that **BECKY E. BASFORD** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 9th day of October, 2009.

Martha L. Carr
Notary Public

My Commission Expires:

10/10/10



MARTHA L. CARR
MY COMMISSION # DD 863435
EXPIRES: October 10, 2010
Bonded Thru Budget Notary Services