

FILED in Cherokee County, NC
on May 21 2002 at 01:20:08 PM
by: Ralph A. Kaphart
Register of Deeds *AKC*
BOOK 980 PAGE 172

State of North Carolina
County of *Cherokee*
Rash A. Williamson
21 May 2002
Misty Taylor
Register of Deeds

Excise Tax *J*

Recording Time, Book and Page

Tax Lot No. *660070012513/2512/660070103831* Parcel Identifier No. *455200197468000, 455200881109000, 4558000293600000*
Verified by *Cherokee* County on the *21* day of *May*, 2002
by *Tanner*

Mail after recording to *225 Valley River Avenue, Suite A.*
Murphy, N.C. 28906.
This instrument was prepared by *Rudolph A. Bata, Jr., P.A.*
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this *6th* day of *May*, 2002, by and between

GRANTOR	GRANTEE
<p>GLENN L. ROBERTS, a single man</p>	<p>HIBBERTS MOUNTAIN DEVELOPMET, INC, a North Carolina Corporation</p>

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

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 or parcel of land situated in the City of *Shoal Creek* Township, *Cherokee* County, North Carolina and more particularly described as follows:

FIRST TRACT:

A tract containing 10.0 acres, in District # 8, adjoining William O. Robinson on the South and West, adjoining Richard Liberty on the North and Northeast and Shields on the Southeast, particularly described according to survey by L.B. Adams, R.L.S., dated November 5, 1986 and being more specifically described as follows on Schedule "A" attached hereto and made a part hereof.

SECOND TRACT:

A tract containing 13.0 acres, more or less, in District # 8, adjoining Farrell on the East, Hibberts subdivision on the South and Dickey on the West, and being more specifically described as follows on Schedule "A" attached hereto and made a part hereof.

THIRD TRACT:

Being 15.66 acres, in District No. 8, a part of the old H.L. Hibberts estate property, more particularly described according to plat by L. B. Adams, R.L.S., dated August 17, 1992, and being more specifically described as follows on Schedule "A" attached hereto and made a part hereof.



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The property hereinabove described was acquired by Grantor by instrument recorded in Book 656, page 3, Book 658 page 170 and Book 921 page 82, Cherokee County Registry.

A map showing the above described property is recorded in Plat Book page.

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. Title to the property hereinabove described is subject to the following exceptions:

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.

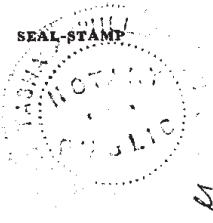
(Corporate Name)

Glenn L. Roberts (SEAL) Glenn L. Roberts

By: President

ATTEST: Secretary (Corporate Seal)

USE BLACK INK ONLY



NORTH CAROLINA, Cherokee County.

I, a Notary Public of the County and State aforesaid, certify that Glenn L. Roberts, Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 15th day of May, 2002

My commission expires: 5-13-2004 (Seal) (Signature) Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that

personally came before me this day and acknowledged that he is Secretary of

a North Carolina corporation, and that by authority duly

given and as the act of the corporation, the foregoing instrument was signed in its name by its

President, sealed with its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of

My commission expires: Notary Public

The foregoing Certificate(s) of

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.

REGISTER OF DEEDS FOR COUNTY

By Deputy/Assistant - Register of Deeds

SCHEDULE "A"

FIRST TRACT:

A tract containing 10.0 acres, in District # 8, adjoining William O. Robinson on the South and West, adjoining Richard Liberty on the North and Northeast and Shields on the Southeast, particularly described according to survey by L.B. Adams, R.L.S., dated November 5, 1986 as follows:

BEGINNING on a iron pipe on top of ridge, Northeast corner of the parcel being conveyed and a corner common with Richard Liberty and runs thence with the centerline of said ridge, a pointed line, five (5) courses: S. 48° 29' W. 161.80 feet, S. 40° 57' W. 168.00 feet, S. 52° 20' W. 144.97 feet, S. 70° 21' W. 90.23 feet and S. 78° 32' W. 153.39 feet to an iron pipe on top of said ridge, another corner common with the said Richard Liberty; thence with severance line S. 00° 35' E. 681.88 feet to an iron pipe; thence with another severance line S. 86° 18' E. 249.16 feet to an iron pipe and S. 85° 17' E. 233.63 feet to an iron pipe; thence a line common with Shields and Liberty N. 04° 50' E. 1104.5 feet to the Beginning, containing 10.00 acre, as aforesaid, more or less.

Together with, an access easement to the land conveyed over what is known as the Hibberts parcel # 6 and running a Southerly direction from the South line of the parcel conveyed over said Hibberts tract to the public highway as a permanent means of ingress, egress and regress to the lot conveyed.

SECOND TRACT:

A tract containing 13.0 acres, more or less, in District # 8, adjoining Farrell on the East, Hibberts subdivision on the South and Dickey on the West.

BEGINNING on an iron pin on the top of ridge, Northeast corner of tract being conveyed and a corner common with Norman Farrell, and runs thence with the centerline of said ridge, a painted line, eleven (11) courses: S. 86° W. 75.61 feet, N. 87° 15' W. 100 feet, S 87° 30' W. 100 feet, S. 89° 30' 100 feet, N. 86° 30' W. 100 feet, S 65° 00' 100 feet, S. 55° 45' W. 100 feet, S. 85° 15' W. 100 feet, S. 39° 15' W. 100 feet, S. 39° 00' W. 100 feet and S. 51° 45' W. 114 feet to an iron pin on the top of the ridge, a corner common to Dickey, thence with the line common with Dickey, S. 15° 30' W. 269 feet to an iron pin in the North line of Hibberts subdivision property; thence with the line common to the North line of Hibberts subdivision property, S. 87° 20' E. 1050.84 feet to an iron pin, thence N. 00° 35' W. 681.88 feet to the beginning, containing 13.00 acres, as aforesaid, more or less.

Together with, an access easement to the land conveyed over what is known as Hibberts parcel #6 and running a Southerly direction from the South line of the parcel conveyed over said Hibberts tract to the public highway. This easement restricted to the existing graveled road which generally parallels the East boundary of the aforementioned Hibberts #6 parcel.

THIRD TRACT:

Being 15.66 acres, in District No. 8, a part of the old H.L. Hibberts estate property, more particularly described according to plat by L. B. Adams, R.L.S., dated August 17, 1992, as follows:

BEGINNING on an iron rod found, Southwest corner of Farrell (Book 532, page 82) and Southeast corner of Roberts and runs thence a line common with the Roberts N. 86° 18' W. 171.07 feet to an iron rod set, a corner common with Hibberts; thence a line common with Hibberts S. 04° 59' W. 1738.79 feet to an iron rod set, a corner common with Robinson (Book 412, page 81); thence a line common with Robinson N. 70° 37' E. 449.54 feet to an iron rod set, a corner common with Hibbert Subdivision; thence a line common with Hibbert N. 04° 32' E. 83.29 feet to an iron rod found, N. 05° 19' E. 994.47 feet to an iron rod found and N. 05° 37' E. 485.02 feet to an iron rod found in line

common with Farrell; thence a line common with Farrell N. 86° 18' W. 249.16 feet to the BEGINNING, containing 15.66 acres as aforesaid.

ALSO, a road through the entire H.L. Hibberts estate property, except Lot No. 6, being described as follows:

BEGINNING at a point in the center of a public road and in the line common to Frank Sparks and R.H. Hibberts and runs N. 23° E. 145 feet to a point in the center of said public road N. 53° E. 156 feet to the point of Beginning of a private road through the Hibberts land, said point of Beginning of the private road being N. 40° W. 28 feet from a 16 inch white oak tree on the Northwest side of a driveway leading to R. H. Hibberts' home, and S. 40° W. 31.5 feet from a 6 inch pine tree at the corner of a pasture fence; thence with the center of a private road the following bearing and distances: N. 8° E. 83 feet, N. 19° W. 157 feet, N. 17° E. 104 feet, N.24° E. 142 feet, N. 14° W. 220 feet, N. 32° W. 156 feet, N. 133 feet, N 15° W. 266 feet, N. 15° E. 98 feet, N 30° E. 56 feet, N. 65° E. 41 feet, to the intersection of two roads; thence S. 55° E. 190 feet, S. 74 E. 131 feet, N. 85 E. 107 feet, S. 82° E. 160 feet, S. 73° E. 155 feet, S. 45° E. 186 feet, S. 71 E. 164 feet, N. 84° E. 144 feet, N. 84° E. 152 feet, N. 55° E. 129 feet, N. 80° E. 151 feet, S. 72° E. 58 feet, S. 50° E. 100 feet, S 83° E. 170 feet, N. 62 E. 95 feet, N. 52° E. 123 feet, N. 41° E. 120 feet, N. 36° E. 236 feet and North 48° E. 114 feet to the West boundary line of Lot No. 6. Road above described to be thirty (30) feet wide.

There is also hereby conveyed that certain right of way and easement for a road providing access from the public road as conveyed by deed of easement dated January 4, 1980, by Edgal Self Chilson and husband, Stephen H. Chilson to W.T. Brown, Jr., as is recorded in the Office of the Register of Deeds for Cherokee County, North Carolina in Book 412, page 82, to which record reference is made for greater certainty.

LESS AND EXCEPT the following described lots previously conveyed:

1. Lot No. 6 of Hibberts Mountain Subdivision, containing 1.17 acres, more or less, conveyed to David F. Elias and wife, Carol K. Elias by deed recorded in Book 940 page 6, Cherokee County Registry.
2. Lot No. 4 of the Hibberts Mountain Subdivision, containing 1.17 acres, more or less, conveyed to Richard P. Linderman and wife, Cheryl A. Linderman by deed recorded in Book 967 page 311, Cherokee County Registry.
3. Lot No. 1 of Hibberts Mountain Subdivision, containing 1.16 acres, more or less, conveyed to _____ by deed recorded in Book _____, page _____, Cherokee County Registry.

References hereby made to the foregoing deeds for further and more complete description.