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CHEROKEE COUNTY
DAPHNE DOCKERY
REGISTER OF DEEDS

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BOOK 01263
START PAGE 0176
END PAGE 0179
INSTRUMENT # 05096

Cherokee County 12-05-2006
NORTH CAROLINA
Real Estate
Excise Tax \$1,350.00

GENERAL WARRANTY DEED

This instrument was prepared by Charles W. McHan, Jr. of the law firm of Hyde, Hoover & Lindsay. Title to the lands and/or interest in lands described herein is not certified unless a separate, written title opinion has been given to, or title insurance obtained for, the Grantees herein by said law firm.

State of North Carolina County Of Cherokee

This Indenture, made the 14th day of November, 2006 by and between:

KIMBERLY R. GLYNN and husband, PHILIP H. GLYNN

hereinafter called Grantors, and



CHEROKEE COUNTY, NORTH CAROLINA
555 700454 00-3008555 700 941350000
PIN: 555700348882000

ROBERT WILLIAM SMITH and wife, JUDITH ANN SMITH

BY: *[Signature]* 12-05-06

hereinafter called Grantees, (said designations shall include the respective parties, whether one or more, individual or corporate, and their respective successors in interest or assigns).

Witnesseth; That the Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees, their heirs and/or successors and assigns, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinafter stated, if any), the following particularly described real estate, located in Cherokee County, North Carolina to-wit:

Being three (3) tracts of land situate and lying in Valleymont Township, Tract One containing 17.01 acres, more or less, Tract Two containing 34.64 acres, more or less, and Tract Three containing 7.41 acres, more or less, all three (3) tracts being more particularly described as follows:

TRACT ONE

That certain tract of land containing 17.01 acres, more or less, and bounded, now or formerly, by natural boundaries and/or lands owned by and/or in the possession of persons as follows: On the North and East by the Town of Andrews Water Shed, on the South by Eastern Band of Cherokee Indians, and on the West by U. S. Forest Service Tract #148-1, said tract lying along both sides of U. S. Forest Service Road #304 and being more particularly described as follows:

BEGINNING at a two inch aluminum monument marking Corner #1 of Tract 148-1 of the U. S. Forest Service and runs thence from said Beginning point with the U. S. Forest Service boundary lines South 00°26' West 437.94 feet to U. S. Forest Service Monument; thence with the boundary line of the Eastern Band of Cherokee Indians, North 73°57' East, intersecting the centerline of U. S. Forest Service Road #304 at 993.59 feet, the East margin of the right of way at 1,023.68 feet, and an iron pin at 1,064.33 feet, total distance 1,369.1 feet to a point in the center of Jones Ridge at the intersection with the boundary of the Eastern Band of Cherokee Indians; thence with the boundary line common to the Town of Andrews Water Shed the following twenty two (22) courses: North 25°37' West 62.05 feet, North 59°52' West 224.33 feet, North 42°10' West 83.42 feet, North 47°13'

West 83.22 feet, North 38°04' West 103.58 feet, North 14°34' West 197.6 feet, North 04°52' East 142.87 feet, North 04°14' East 145.48 feet, North 32°28' East 158.32 feet, North 23°35' East 136.83 feet, North 10°23' East 172.08 feet, North 03°11' East 120.86 feet, North 20°53' West 116.61 feet, North 31°50' West 170.87 feet, North 06°56' West 95.64 feet, North 06°22' East 194.13 feet, North 18°33' East 125.32 feet, North 09°59' East 147.57 feet, North 08°57' West 97.98 feet, North 03°32' East 104.42 feet, North 03°30' West 88.16 feet and North 40°49' West 126.86 feet to a 2 inch aluminum monument marking Corner #4 of U. S. Forest Service Tract #148-1; thence with boundary lines of said U. S. Forest Service Tract #148-1 as follows: South 04°31' West, intersecting the centerline of U. S. Forest Service Road #304 at 2,541.23 feet, total distance 2,615.19 feet to a 2 inch aluminum monument marking Corner #5 of said tract and North 89°33' West 707.77 feet to the point of BEGINNING, containing 17.01 acres, more or less.

As shown on plat of survey entitled "Robert & Evelyn Heaton Property", as surveyed September 11, 1991, by Kenneth R. Moore, R.L.S.

TOGETHER WITH a perpetual, non-exclusive easement, for purposes of ingress and egress over and along U. S. Forest Service Road #304, leading from the herein above described tract in a general Southeast direction to intersection with N. C. S. R. #1388.

TRACT TWO

Being part of State Survey Tract #'s 110, 5007 and 8458, said tract being bounded, now or formerly, by natural boundaries and/or lands owned by and/or in the possession of persons as follows: On the West, North and East by a ridge and on the South by Purser, said tract lying North of N. C. S. R. #1388 at the terminus of a private road known as Big Cove Road, and being more particularly described as follows:

BEGINNING at a point on top of Jones Ridge, a corner common to U. S. Forest Service Tract #N-148-1 (Parcel #7), said point lying South 37°28' East 135.46 feet from a 2 inch aluminum monument marking Corner No. 4 of said tract, and runs thence from said Beginning point with the centerline of Jones Ridge the following twelve (12) courses: South 03°30' East 78.14 feet, South 03°32' West 104.42 feet, South 08°57' East 97.98 feet, South 09°59' West 147.57 feet, South 18°33' West 125.32 feet, South 06°22' West 194.13 feet, South 06°56' East 95.64 feet, South 31°50' East 170.87 feet, South 20°53' East 116.61 feet, South 03°11' West 120.86 feet, South 10°23' West 172.08 feet and South 23°35' West 36.55 feet to a galvanized steel bolt set at the intersection of ridges; thence along top of an intersecting ridge and approximately with the centerline thereof (a spur ridge) the following seven (7) courses: South 13°02' East 65.54 feet, South 13°02' East 77.39 feet, South 43°53' East 115.9 feet, South 50°11' East 125.46 feet, South 36°51' East 184.49 feet, South 36°56' East 161.6 feet and South 51°19' East 211.83 feet to a ½" inch rebar; thence along a property line common to Purser, North 81°19' East 352.08 feet to the point on top of another ridge known as Hardin Ridge; thence along the top of said ridge and approximately with the centerline thereof the following twenty five (25) courses: North 23°29' East 67.49 feet, North 04°57' East 67.96 feet, North 24°11' West 82.43 feet, North 04°41' West 85.12 feet, North 12°56' West 142.45 feet, North 17°00' East 106.39 feet, North 13°16' West 137.26 feet, North 48°49' West 94.87 feet, North 34°35' West 83.71 feet, North 13°46' West 58.3 feet, North 23°36' East 79.77 feet, North 00°57' West 68.66 feet, North 14°07' West 137.51 feet, North 26°54' West 51.06 feet, North 11°34' West 32.23 feet, North 24°43' East 114.12 feet, North 14°29' East 106.4 feet, North 13°54' West 99.81 feet, North 01°28' West 243.36 feet, North 45°52' West 175.83 feet, North 64°48' West 158.74 feet, North 74°34' West 159.85 feet, North 71°02' West 247.27 feet, South 76°05' West 58.89 feet and North 75°48' West 73.65 feet to the point of BEGINNING, containing 34.64 acres, more or less.

As shown on plat of survey entitled "Hancock Property", dated July 28, 1994, prepared by Kenneth R. Moore, R. L. S.

EXCEPTED FROM THE ABOVE DESCRIBED PROPERTY is a 0.3 acre, located along the Northern line of a 5.18 acre tract of land which was conveyed to Kenneth E. Carman, by deed dated December 7, 1995, and recorded in Deed Book 751, Page 101, Cherokee County Registry.

TRACT THREE

That certain tract of land containing 7.41 acres, more or less, and being bounded, now or formerly, by natural boundaries and/or lands owned by and/or in the possession of persons as follows: On the Northeast and Southwest by a ridge and on the Southeast by Purser, said tract lying North of N. C.

S. R. #1388 near the end of a private road known as Big Cove Road, and being more specifically described as follows:

BEGINNING at a ½ inch rebar set on top of a spur ridge, said rebar lying South 13°02' East 65.54 feet from a galvanized steel bolt set at the intersection of said spur ridge with Jones Ridge, and runs thence from said Beginning point along the top of said spur ridge and approximately with the centerline thereof the following seven (7) courses: South 10°48'11" East 77.48 feet, South 41°41'14" East 115.94 feet, South 48°49'50" East 74.52 feet, South 37°51'50" East 262.19 feet, South 29°03'53" East 124.15 feet, South 51°43'24" East 169.32 feet and South 43°52'16" East 55.19 feet to an iron rod set; thence along a property line common to Purser, South 57°13'15" West 444.42 feet to a 9 inch marked sourwood tree on top of another ridge; thence along top of said ridge and approximately with the centerline thereof the following three (3) courses: North 57°19'45" West 145.16 feet, North 47°52'06" West 125 feet and North 36°38'11" West 201 feet to an iron rod set on the West side of a woods road; thence crossing said woods road North 09°51'49" East 147 feet to an iron rod set; thence North 07°21'49" East 295.5 feet to an iron rod set; thence North 34°51'49" East 184.21 feet to the point of BEGINNING, containing 7.41 acres, more or less.


As shown on plat of survey entitled "Floyd Kent Purser and wife, Nancy Purser", dated December 2, 1993, prepared by True Line Surveying Company and certified by Charles V. Bryson, R. L.S.

FOR SOURCE OF TITLE reference Deed Book 1155, Page 655, Cherokee County, NC Registry. SUBJECT TO easements to NP&LC filed for record in Book 323, Page 22 and Book 444, Page 97, Cherokee County, NC Registry. SUBJECT TO the rights of others, if any, to take water from the spring on Tract Three.

To Have and to Hold the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantees, their heirs and/or successors and assigns forever, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinabove stated, if any).

And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any and all encumbrances (with the exceptions above stated, if any), and that they will and their heirs, executors, administrators and/or successors shall forever warrant and defend the title to said land and premises, with the appurtenances, unto the Grantees, their heirs and/or successors and assigns, against the lawful claims of all persons whomsoever.

In Witness Whereof, each 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)
Kimberly R. Glynn

 (SEAL)
Philip H. Glynn

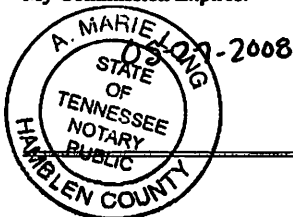
State of TN, County of Hamblen

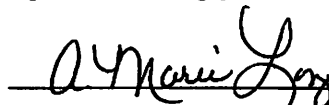
A Marie Long A. MARIE LONG, a Notary Public of Said State and County, do
(Notary's Name Printed Above)

hereby certify that KIMBERLY R. GLYNN, either being personally known to me or proven by satisfactory evidence (said evidence being DRIVERS license), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes stated herein.

Witness my hand and Notarial Seal, this 01 day of December, 2006

My Commission Expires:



 Notary Public

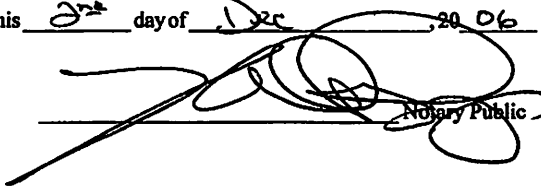
State of NC S.C., County of Montgomery

I, A. Marie Long ^{Robert A. Rapp}, a Notary Public of Said State and County, do
(Notary's Name Printed Above)

hereby certify that PHILIP H. GLYNN, either being personally known to me or proven by satisfactory evidence (said evidence being D.L.), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes stated herein.

Witness my hand and Notarial Seal, this 2nd day of Dec, 20 06

My Commission Expires:



Notary Public

Hyde, Hoover & Lindsay
Attorneys at Law

84 Valley River Ave.
P.O. Box 580
Murphy, North Carolina 28906
PHONE: (828) 837-6393

DEED STAMPS: \$ 1,350.-

