

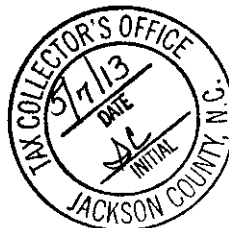
Doc ID: 004633240008 Type: CRP
 Recorded: 05/07/2013 at 10:38:27 AM
 Fee Amt: \$26.00 Page 1 of 8
 Revenue Tax: \$0.00
 Jackson County, NC
 Joe Hamilton Register of Deeds
 BK **1988** PG **352-359**

RETURN TO:

Read & Read Attorneys At Law
 1110 Brickell Avenue
 Suite 410
 Miami, Florida 33131

THIS INSTRUMENT PREPARED BY:

Elizabeth R. Read, Esq.
 Read & Read Attorneys At Law
 1110 Brickell Avenue
 Suite 410
 Miami, Florida 33131



PROPERTY APPRAISERS PARCEL
 IDENTIFICATION (FOLIO) NUMBER
7620-28-9201

LIFE ESTATE DEED

THIS INDENTURE, made this 29 day of March, A.D. 2013
 between EVELYN CASPER, a single woman (SS # - -) of the County of
 Monroe County, in the State of Florida, grantor, to EVELYN CASPER, a life
 estate,

without liability for waste, with full power and authority in her to sell, convey,
 mortgage, lease or otherwise dispose of the property described below in fee
 simple, without joinder by the remainderman, with or without consideration,
 and to retain any and all proceeds derived thereby.

Upon the death of the life tenant, the remainder, if any, to CORINNE C.
 BROWN, whose post office address is, 6851 S.W. 77 Terrace, South Miami,
 Florida 33143, grantee.

WITNESSETH, that the said grantor, for and in consideration of the sum
 of Ten Dollars and other good and valuable consideration, to her in hand paid
 by the said grantee, the receipt whereof is hereby acknowledged, has granted,
 bargained, and sold to the grantees, their heirs and assigns forever, the
 following described land, situate, and being in the County of Jackson, State of
 North Carolina, to-wit:

BEGINNING at a point in the center of a 50
 feet road right of way, said point being
 located S. 33-41-04 W. 406.27 feet from a
 new iron pin set in a fence corner in the
 original boundary of the parent tract,
 (said new iron pin in a fence corner being

Page 2.
 Evelyn Casper/Life Estate Deed

located S. 57-56-00 E. 101.54 Feet from a double sourwood and S. 57-59-52 W. 88.32 feet from a 15 inch poplar); and runs thence with the center of said 50 feet road right of way the following courses and distances: S. 03-04-55 E. 98.20 feet; S. 21-27-48 E. 58.28 feet (with a radius of 92.4125 feet and arc of 59.29 feet); S. 39-50-41 E. 18.91 feet; S. 63-45-58 E. 86.05 feet (with a radius of 106.1033 feet and arc of 88.60 feet); S. 87-41-16 E. 26.95 feet; S. 54-24-10 E. 44.92 feet (with a radius of 40.9256 feet and arc of 47.55 feet); S. 21-07-05 E. 22.75 feet; S. 41-23-10 E. 84.46 feet (with a radius of 121.9059 feet and arc of 86.25 feet); S. 61-39-15 E. 21.44 feet; S. 31-28-02 E. 76.83 feet (with a radius of 76.3944 feet and arc of 80.50 feet); S. 01-16-50 E. 31.49 feet; S. 09-14-46 W. 53.68 feet (with a radius of 146.9123 feet and arc of 53.98 feet); S. 19-46-22 W. 12.77 feet; S. 67-12-13 W. 95.90 feet (with a radius of 65.1088 feet and arc of 107.80 feet); N. 65-21-56 W. 158.23 feet; S. 54-25-55 W. 56.50 feet (with a radius of 32.5544 feet and arc of 68.41 feet); and S. 05-46-15 E. 81.69 feet to a point; thence leaving said roadway and runs N. 25-52-30 W. 310.48 feet to a point, passing a new iron pin in the margin of said roadway at 70.00 feet; thence N. 16-05-40 W. 75.92 feet to a point; N. 27-37-22 W. 94.41 feet to a point; and N. 67-28-54 W. 154.70 feet to a new iron pin; thence N. 76-15-30 E. 332.60 feet, passing a new iron pin set at 307.60 feet, to the point of BEGINNING, containing 3.284 acres, by coordinate computation, and being Tract No. 5 of the Brook Branch Subdivision, as per survey prepared by Moore's Land Surveying, dated April 14, 1988, Drawing No. 02-A-10-88-06.

Page 3.
Evelyn Casper/Life Estate Deed

EXCEPTING AND RESERVING, however, from the above described lands a right of way over, through and across the access road, said access road being 50 feet in width; together with the utility easement along the inside boundaries of the above described property, all as set forth in the restrictive covenants attached hereto marked Exhibit "A" and the road maintenance agreement duly recorded in Book 686, at page 768, Public Registry of Jackson County, reference to all of which is hereby made, for the same purpose and to the same extent as though fully set forth herein.

TOGETHER WITH a right of way over, through and across the remaining access roads in the Brook Branch Subdivision, said access roads being 50 feet in width, all as referred to in the restrictive covenants and road maintenance agreement hereinabove referred to.

TOGETHER WITH a right of way for roadway leading from the Brook Branch Subdivision to the state maintained road (State Road #1374); together with the right of ingress, egress and regress over, through and across said right of way for roadway for the purposes of constructing, maintaining, repairing, replacing and inspecting said right of way. Said right of way to be used jointly by the parties hereto, their respective heirs, assigns, executors and administrators.

THIS DEED IS SPECIFICALLY MADE SUBJECT TO those restrictive covenants attached hereto as Exhibit "A", reference to which is hereby made, for the same purpose and to the same extent as though fully set forth herein.

Page 4.
Evelyn Casper/Life Estate Deed

THIS DEED IS ALSO MADE SUBJECT TO the terms and conditions of that certain road maintenance agreement recorded in Book 686, at page 768, Public Registry of Jackson County, reference to which is hereby made.

Party of the first part EXCEPTS AND RESERVES unto herself, her heirs, assigns, executors and administrators, a right of way for roadway sixteen (16) feet in width running from the 50 feet roadway over, through and across the westerly portion of the above described property to other lands of the party of the first part, together with the right of ingress, egress, and regress over, through and across said right of way for the purposes of constructing, maintaining, repairing, replacing and inspecting said right of way for roadway. Once said roadway has been located, the location of the same cannot be changed or altered.

Being a part of the lands described by deed recorded in Book 684, at page 306, Public Registry of Jackson County.

And the said grantor does hereby fully warrant the title of said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said grantor has hereunto set his/her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Julia S. Read
Witness
Julia S Read
Print name

Evelyn Casper
EVELYN CASPER
1465 Long Beach Road
Big Pine Key, Florida 33043

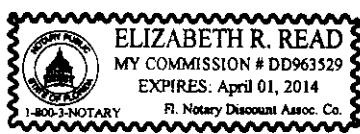
Mollie Read
Witness
Mollie Read
Print name

Page 5.
Evelyn Casper/Life Estate Deed

STATE OF FLORIDA)
COUNTY OF Miami-Dade

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared EVELYN CASPER to me known to be the person described in, or has produced _____ as identification and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 29 day of March, A.D. 2013.



Elizabeth R. Read
Notary Public (signature)
Elizabeth R. Read
Notary Public (print name)

EXHIBIT "A"

RESTRICTIVE COVENANTS, TERMS AND CONDITIONS

FOR

BROOK BRANCH SUBDIVISION

Lands of April E. Sanborn, situate, lying and being on
Brook Branch in Greens Creek Township,
Jackson County North Carolina

1] There shall be no dwelling erected in said development unless it shall be a minimum of one thousand (1,000) square feet for living purposes, excluding porches, basements, decks, patios, garages, carports and other open areas.

2] Any tract owned by any person, firm or corporation may be divided or subdivided by the purchasers, their heirs, assigns, executors, administrators, and successors, but only to the extent that two homes may be built on said tract herein conveyed.

3] No home or dwelling may be occupied by any person until all construction and painting of the exterior of said dwelling and all attachments thereto have been completed. All construction and painting of the exterior of said home or dwelling, including any attachments thereto, shall be completed within one (1) year from the date of commencement of construction. In determining if the construction of the exterior of said home is completed, all masonry block must be bricked, rocked, stuccoed or painted before the exterior construction is deemed completed.

4] Each property owner, with the exception of April E. Sanborn, shall automatically by virtue of owning property in said subdivision be members of the Road Maintenance Association of Brook Branch Subdivision, said road maintenance agreement being recorded in the Public Registry of Jackson County.

5] No house trailer, campers, mobile homes, motor home, basement, shack, garage, barn or any other outbuilding shall be placed on any tract at any time as a residence, either temporary or permanent. Any prefabricated home erected on said property must meet all of the various building codes of the State of North Carolina and the County of Jackson as the same may be in effect from time to time when each individual home is constructed.

6] The owners, their heirs, assigns, executors, administrators, and successors shall not permit or allow any debris, inoperative vehicles of any type, the development of any unclean, unsightly, or unkept conditions of building or grounds on such tract which shall tend to substantially decrease the beauty of the neighborhood, as a whole, or in a specific area, any noxious or offensive activity, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance, or nuisance to the neighborhood. There shall not be maintained any plants or animals or devise or thing of any sort whose normal activities or existence is in any way noxious, dangerous, unsightly, unpleasant or of a nature which may diminish or destroy the enjoyment of other property in the neighborhood by the owners thereof. A vehicle whose license tag is not current shall be evidence of a vehicle being inoperable.

7] No commercial activities or businesses of any type, including but not limited to apartment complexes or rental units, shall be operated on said premises, either in a separate building or from any home located on said tract.

8] No building shall be placed on any tract less than fifty-five (55) feet from the center of any street or road. Any property owner who is subdividing lands must convey or retain sufficient properties to comply with this set back restriction.

9] All access roadways constructed through said development are reserved for the use of the tract owners in said development, and no obstruction or fences shall be placed within thirty (30) feet of the center line of the said roadways, or within any turning areas. No right of way shall be conveyed for use by any properties not covered by these restrictions.

10] Each tract owner shall be responsible for clearing all rubbish from the tract before, during and after construction, and to seed and/or gravel any disturbed earth within thirty (30) days after the construction of the home is completed. All disturbed slopes, banks, and road sides shall be seeded or covered with burlap netting to prevent erosion until permanent seeding is done, and shall comply with all regulations of the North Carolina Department of Natural Resources pertaining to grading, draining and seeding. Each property owner shall also comply with all rules and regulations of the Jackson County Health Department and the Jackson County Department of Construction and Standards.

11] There is retained a right of way five (5) feet in width along each boundary line of each tract and a five (5) foot easement adjacent to the road right of way of each tract for the purpose of constructing, maintaining, repairing, replacing and inspecting telephone lines, electric power lines, cable television lines, erection of telephone and power poles to be created and conveyed to the appropriate utility company as necessary to provide telephone and electrical services to each tract.

12] In the event any tract owner makes a driveway connection with any road, said owner shall install a culvert of sufficient size in the ditch line along said road to carry the normal flow of water of the ditch line through said culvert and the same shall comply with all regulations of the North Carolina Department of Natural Resources pertaining to the same.

13] If any person, firm or corporation shall violate any of these restrictions, it shall be lawful for any of the tract owners in Brook Branch Subdivision to prosecute the violating party at law or in equity for any claim which these restrictions may create in such other owner or interested party to prevent said person, firm or corporation from doing such acts that would constitute a violation of these restrictions.

14] By the acceptance of a deed to any tract the person, firm or corporation owning said tract shall automatically become a member of and participate in a homeowners road maintenance association known as the Brook Branch Road Maintenance Association, the same being recorded in the office of the Register of Deeds for Jackson County, and shall be subject to the road maintenance fees set forth therein prior to the association being effective.

15] If any person, firm or corporation shall subdivide any tract of land purchased, any tract so subdivided shall be subject to these restrictive covenants and to the terms and conditions of the road maintenance agreement herein referred to.

Enforcement of these covenants and restrictions shall be by action at law or in equity against any person or persons violating or attempting to violate any covenant or restriction, either to restrain violation or to recover damages. The party bringing the action or suit shall be entitled to recover in addition to costs and disbursements by law, such sum as the court may adjudge to be reasonable for the services of his attorney.

Invalidation of any of these covenants and restrictions by judgment or court order in no wise shall affect any of the other provisions, which shall remain in full force and effect.

--- 0 ---