

This instrument was prepared by Noland W. Smith of the law firm of McKeever, Edwards, Davis and Hays. P.A. 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

Title File No. 1382-C

This Indenture made the 15th day of March, 2000 by and between:

JOHN WILSHUSEN, a single person

hereinafter called Grantors, and **KENT LEWIS LANDSBERG and wife, BEVERLY SUE LANDSBERG**
5105 Highcrest Drive
Mobile, AL 36693

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:

All that certain tract or parcel of land containing 2.13 acres, more or less, being designated as Lot 3 of the Wilshusen property being composed of Lots 4 and 16 of the Sherwood Estates, Phase II and being located in Valletown Township, Cherokee County, North Carolina, and being more particularly described according to a plat of survey by Kenneth R. Moore, PLS dated December 23, 1998 and from said plat of survey described as follows:

BEGINNING on an iron pin set being a control corner having the N.C. grid coordinates of N=553615.87 and E=552099.29 and being a point in common with Lots 4 and 5 and runs then with the line of Lot 4 S 77-02-50 E 170.68 feet to an iron pin set being a point in common with Tract 17, Sherwood, Phase II; then with the line of Tract 17 N 08-25-07 E 139.26 feet to an iron pin set on the South line of Lot 2; then with the line of Lot 2 N 72-04-42 W 191.83 feet to an iron pin set; N 72-04-38 W 64.38 feet to a point in the centerline of an access road; then N 72-04-38 W 231.61 feet to an iron pin set in the line of Luther (Deed Book 826, Page 206) having N.C. grid coordinates of N=553865.53 and E=551821.90; then with the line of Luther S 36-08-39 W 178.19 feet to an iron pin set having grid coordinates of N=553721.63 and E=551716.80; then S 50-00-53 E 208.47 feet to a spike in the centerline of an access road being a point in common with Lot 5 of the Wilshusen property; then with the centerline of said access road and the line of Lot 5 the following courses and distances: N 43-49-15 E 26.56 feet; N 41-04-37 E 31.02 feet; N 40-57-20 E 32.46 feet to a point in the centerline of said road; then turning and leaving said road centerline and continuing with the line of Lot 5 S 74-43-26 E 34.50 feet to an iron pin set; then continuing with the line of Lot 5 S 77-02-50 E 132.81 feet to the BEGINNING.

THIS CONVEYANCE IS MADE TOGETHER WITH AND SUBJECT TO the covenants, restrictions, easements, reservations, terms and conditions governing Sherwood Estates, Phase II as recorded in Deed Book 794, Page 114, Cherokee County, North Carolina Registry.

THIS CONVEYANCE IS MADE TOGETHER WITH AND SUBJECT TO the rights-of-way and easements as described in Deed Book 631, Page 8, Cherokee County, North Carolina Registry, reference to which is made hereby for incorporation herein.

THIS CONVEYANCE IS MADE FURTHER TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual right-of-way and easement for the purpose of ingress, egress, regress and utilities 40 feet in width, 20 feet on each side of the centerline thereof, over and across the existing access roads leading from the herein described property and crossing Sherwood Estates Subdivision out to N.C.S.R. #1507 (Pisgah Road) for the benefit of the herein described property and the pertinent Subdivision properties. This easement shall include the right to go upon the servient tenement with workmen to improve, repair and maintain said roadway as may be necessary from time to time. The portion of said right-of-way and easement which crosses Phase I, Sherwood Estates is recorded in Plat Cabinet C, Slide 85, Cherokee County, North Carolina

9703890 CHEROKEE CO.
Mar 21 2000 71.00
STATE OF NORTH CAROLINA REAL ESTATE EXCISE TAX

CHEROKEE COUNTY, NORTH CAROLINA
PIN: 770080093315
BY: Dynette Stalup