

FILED	May 09, 2024	FILED ELECTRONICALLY
AT	11:21:00 AM	CHEROKEE COUNTY NC
BOOK	01756	KAREN WRIGHT
START PAGE	0741	END PAGE 0744
INSTRUMENT #	02220	
EXCISE TAX	\$9.00	

**CHEROKEE COUNTY TAX CERTIFICATION**

There are no delinquent taxes due that are a lien against the Parcel Number(s) set forth in this deed.

Cherokee County Tax Collector  
Date: 05/09/2024 By: TG

Excise Tax: \$9.00 Parcel Identification No.: 451000566353000

Brief Description for the Index: Metes and Bounds

Prepared by and Return to: Christopher P. Gelwicks, The McIntosh Law Firm, P.C., P.O. Box 2270, Davidson, NC 28036

**STATE OF NORTH CAROLINA**

**TRUSTEE'S DEED**

**COUNTY OF CHEROKEE**

THIS TRUSTEE'S DEED made this the 7 day of May, 2024, by The McIntosh Law Firm, P.C. as trustee ("Trustee") and **James D. Rich and Jason Venable both unmarried, as tenants in common with rights of survivorship** ("Grantee") whose address is 41129 US Hwy 72, Stevenson, AL 35772.

**WITNESSETH:**

THAT WHEREAS, Wolf Mountain Estates POA, Inc. caused to be filed a Claim of Lien against certain real property more particularly described below for unpaid homeowners' dues and assessments assessed by Wolf Mountain Estates POA, Inc. against Anthony Brookins and the record owner(s), such Claim of Lien being file no. 23 M 31 in the office of the Cherokee County Clerk of Superior Court;

WHEREAS, default having occurred in payment of the indebtedness secured by said Claim of Lien and in the performance of the stipulations and conditions contained in that Declaration of Covenants, Conditions and Restrictions recorded in Book 1527, Page 486, CherokeeCounty Public Registry, together with all supplemental declarations and amendments duly recorded in said registry, Trustee instituted a foreclosure proceeding under the authority of N.C.G.S. § 47F-3-116 or N.C.G.S. § 47C-3-116, being file no. 23 SP 86 in the office of the Cherokee County Clerk of Superior Court;

submitted electronically by "The McIntosh Law Firm, P.C."  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Cherokee County Register of Deeds.

WHEREAS, under and by virtue of the power and authority vested in Trustee by said statute and Declaration and after due advertisement as required by law, Trustee did expose for sale the real property hereinafter described and conveyed at public auction at 11:00 am on March 11, 2024, at the Cherokee County Courthouse, 75 Peachtree Street, Murphy, North Carolina 28906, when and where Grantee became the last and highest bidder for said property at the price of \$4,457.62;

WHEREAS, Trustee duly reported said sale to the Clerk of Superior Court of Cherokee County, as required by law, and thereafter said sale remained open for ten days and no advance bid was placed thereon within the time allowed by law and whereas said Clerk duly entered an order directing and requiring Trustee to convey said property to Grantee by good and sufficient deed upon payment of the purchase price; and

WHEREAS, Grantee has furnished said purchase price to Trustee.

NOW THEREFORE, in consideration of the property conveyed herein and of the payment of said purchase price by Grantee, the receipt of which is hereby acknowledged, and pursuant to the authority vested in it by the laws of the State of North Carolina, Trustee does hereby bargain, sell, grant, convey unto the Grantee and its successors and assigns, all that certain lot or parcel of land lying and being in the City of Murphy, County of Cherokee, State of North Carolina, and being more particularly described in the attached Schedule A. Said property having a physical address of: No# High View Road (Lot 18 and 26 Sec 1 Wolf Mtn), Murphy NC 28906.

Trustee makes no representation or warranty as to the type, existence, use or condition of any structure situated on the property conveyed hereby. Further, Trustee makes no representation or warranty as to the status of title to the property described herein or regarding the effect of the foreclosure proceeding on other liens, encumbrances or interests, recorded or unrecorded.

TO HAVE AND TO HOLD that said land, together with all of the privileges and appurtenances thereunto belonging, unto Grantee, its successors and assigns, forever, in as full and ample manner as Trustee is authorized and empowered to convey the same, subject to all prior liens, taxes and special assessments, encumbrances and easements of record.

IN WITNESS WHEREOF, the said Trustee has hereunto set its hand and seal the day and year first above written.

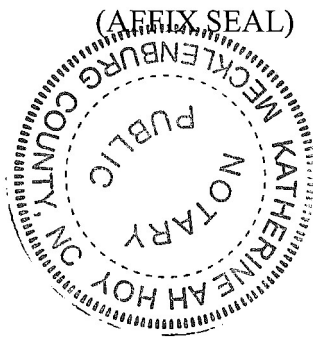
THE MCINTOSH LAW FIRM, P.C.  
Trustee

Christopher P. Gelwicks

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, Katherine Anttay, Notary Public, certify that Christopher P. Gelwicks personally came before me this day and acknowledged that he/she is an attorney at The McIntosh Law Firm, P.C., Trustee, and that he/she, being authorized to do so, executed the foregoing on behalf of the Trustee.

Witness my hand and official seal this the 7 day of May, 2024.



Katherine Anttay  
Notary Public  
My commission expires: 11/7/26

SCHEDULE A

No# High View Road (Lot 18 and 26 Sec 1 Wolf Mtn), Murphy NC 28906  
Parcel Identification No.: 451000566353000

Being Lots 18 and 26 in Wolf Mountain Estates, in Hothouse Township, District #4 on the waters of Wolf Creek, particularly described according to plat by Jeff Weatherly, R.L.S., dated May 5, 1988 as follows:

LOT 18:

BEGINNING at a point in centerline of Highview Road where the centerline of said road crosses a branch, Southwest corner of Lot 16 and Southeast corner of Lot 17 as well as Northwest corner of Lot 19, and runs thence with the centerline of Highview Road as follows: South 58-46 West 14.63 feet, South 42-25 West 77.34 feet, South 25-09 West 27.09 feet, South 01-44 East 21.9 feet, South 17-08 East 58.28 feet, South 33-01 East 55.56 feet, South 09-55 East 64.15 feet, South 06-56 West 26.49 feet, South 19-07 West 44.48 feet, and South 19-07 West 46.00 feet to a point in said centerline, Northwest corner of Lot 22; thence a line common with Lot 22 South 57-46 East, passing an iron pipe at 15.45 feet, total distance 330.64 feet to an iron pipe in branch, Southwest corner of Lot 20 and Northwest corner of Lot 21; thence a line common with Lot 20 up the centerline of said branch as follows: North 06-27 East 50.87 feet, North 15-59 East 63.9 feet, North 13-21 West 13.28 feet, North 30-51 West 57.98 feet to an iron pipe, most South corner of Lot 19; thence continuing up branch centerline with line common with Lot 19 as follows: North 14-13 West 53.87 feet, North 61-32 West 30.51 feet, North 24-52 West 74.65 feet, North 43-20 West 147.07 feet, North 16-18

East 11.32 feet, North 48-11 West 38.63 feet, North 10-50 East 08.2 feet, North 05-52 East 28.76 feet, North 14-10 West 41.18 feet, North 46-27 West 15.79 feet to an iron pipe, and North 12-20 West 25.05 feet to the Beginning, containing 1.87 acres, more or less.

LOT 26:

BEGINNING on an iron pipe at a Maple, corner common between Lots 26, 25, 28 and 27 and runs thence a line common with Lot 27 North 11-20 East 324.88 feet to an iron pipe in South line of Lot 17; thence a line common with Lot 17 as follows: South 58-34 East 70.00 feet to an iron pipe, South 45-22 East 131.33 feet to an iron pipe, and South 68-05 East 34.3 feet to a point in centerline of Highview Road; thence with centerline of Highview Road as follows: South 17-08 East 58.28 feet, South 33-01 East 55.56 feet, South 09-55 East 64.15 feet, South 06-56 West 26.49 feet, and South 19-07 West 44.48 feet to a point in said centerline, Northeast corner of Lot 25; thence a line common with Lot 25 North 74-49 West 300.7 feet to the Beginning, containing 1.68 acres, more or less.

Together with a non-exclusive road and utilities easement out over subdivision roads to the public highway as a permanent means of ingress, egress and regress to said three lots.

The Grantor excepts and reserves a non-exclusive road and utilities easement, 40 feet in width, 20 feet each side of the centerline of Highview Road for the benefit of Grantor, his heirs and assigns.

These lots are conveyed subject to covenants and restrictions pertaining to Wolf Mountain Estates dated April 8, 1988 and recorded in Book 565, Page 26, Cherokee County Registry.