

FILED Dec 27, 2018 01:10:49 pm FILED
BOOK 01603 CHEROKEE
PAGE 1112 THRU 1113 COUNTY NC
INSTRUMENT # 06227 DAPHNE DOCKERY
RECORDING \$26.00 REGISTER
EXCISE TAX \$250.00 OF DEEDS DD

HEROKEE COUNTY TAX CERTIFICATION

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

Cherokee County Tax Collector

Date: 12/27/18

By: KH

WARRANTY DEED

DEED STAMPS: \$250.00

This instrument was prepared by David E. Cowan of the law firm of Cowan & Cowan, 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.

Based upon information furnished by the Grantor(s) or their agents, the accuracy of which is not guaranteed by Cowan & Cowan, P.A., the mailing address of the Grantors is as stated after their name, and the property described in this deed includes does not include, the primary residence of a Grantor.

Pin Number: 553300138869000

State of North Carolina

Title File No. 18-951

County Of Cherokee

This Indenture made the 19th day of December, 2018, by and between:

RICHARD E. BENDER and wife, SUSAN T. BARANOWSKI
649 Marisol Drive
New Smyrna Beach, FL 32168

hereinafter called Grantors, and

JOSHUA E. BARTON
125 Moore View Drive
Murphy, NC 28906

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 2.29 acres, more or less, designated as the Muse Property, located in District #1, Murphy Township, Cherokee County, North Carolina, adjoining the lands of Duke Moore, Tony Kent and North Carolina State Road #1535, and being more particularly described according to a plat of survey dated March 28, 2003, by L. B. Adams, P.L.S., and from said plat described as follows:

BEGINNING on an iron pipe (found) in the southwest boundary line of the herein-described lot, said BEGINNING point being a point common to lands owned now or formerly by Moore (Deed Book 277, Page 33), and runs thence from said BEGINNING point, N 77-31 W 20.45 feet to a point in the centerline of North Carolina State Road #1535; thence running with the centerline of said State Road #1535, N 01-58 E 50.87 feet to a point in the centerline of a 12-foot access road, N 01-58 E 33.32 feet and N 02-25 W 79.59 feet to a point; thence turning and leaving said State Road centerline and running with a line designated as "area of unknown ownership" and the lands owned now or formerly by Kent (Deed Book 452, Page 215), S 80-00 E 234.46 feet to an iron pipe (found), S 55-00 E 135.44 feet to an iron pipe (found), S 55-00 E 14.50 feet to the centerline of an existing access road, N 74-58 E 150.06 feet to a stainless steel rod, S 79-07 E 74.95 feet to an iron rod (set), S 67-57 E 115.79 feet to a point in the centerline of an existing access road, S 67-57 E 75.01 feet, and S 67-57 E 3.01 feet to a 10-inch Persimmon witnessed by an iron rod (set) at its base, situate in the center of Calvin Lunsford Branch the easternmost corner of the herein-described tract; thence running with the centerline of Calvin Lunsford Branch, S 75-01 W 56.98 feet to an iron rod (found), S 54-38 W 36.22 feet, S 64-43 W 59.36 feet, and S 62-19 W 45.24 feet to a point in said branch and running with a line

common to lands owned now or formerly by Moore (Deed Book 277, Page 33), N 83-14 W 4.88 feet, N 83-14 W 37.27 feet to a point in the centerline of an existing road, N 83-14 W 253.75 feet to an iron pipe (found) and N 83-14 W 34.66 feet to an 18-inch marked Oak and N 77-31 W 230.32 feet to the BEGINNING.

ALSO HEREIN CONVEYED is a non-exclusive, perpetual right-of-way and easement 12 feet in width, 6 feet on each side of the centerlines thereof, over and across the existing access road which leads from the southwest corner of the above-described tract over and across the adjoining lands of Moore as described in Deed Book 277, Page 33, Cherokee County Registry for the purposes of ingress, egress and regress and utilities thereon from the above-described tract to the public road.

THIS CONVEYANCE IS SUBJECT TO the rights of others in and to the use of the existing access roads which traverse the above-described lot as above-referred as a means of ingress, egress and regress and utilities thereon to the public road.

THIS CONVEYANCE IS SUBJECT TO the right-of-way and easement in favor of Kent as recorded in Deed Book 518, Page 73, Cherokee County Registry.

THIS CONVEYANCE IS SUBJECT TO the easements for power lines as shown on the aforesaid plat of survey.

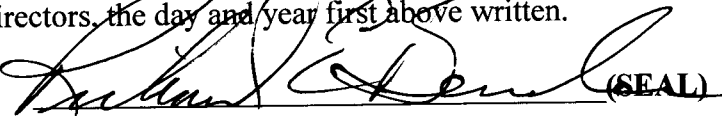
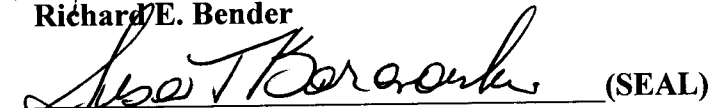
THIS PROPERTY IS CONVEYED SUBJECT TO the easement recorded in Deed Book 1258, Page 120, Cherokee County Registry.

FOR SOURCE OF TITLE reference Deed Book 1039, Page 911, Cherokee County Registry.

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).

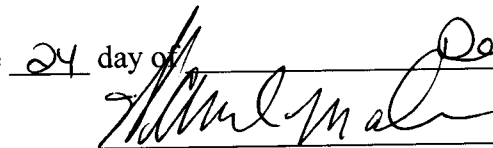
And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any 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.

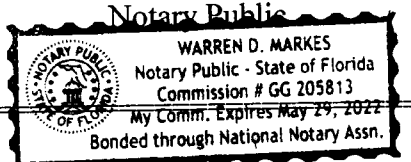
 (SEAL)
Richard E. Bender
 (SEAL)
Susan T. Baranowski

State of Fl, County of Volusia

I, WARREN D. MARKES, a Notary Public for said County and State, do hereby certify that **Richard T. Bender and Susan T. Baranowski**, being personally known to me, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him/her/them for the purposes stated therein.

WITNESS my hand and official seal, this the 24 day of Dec. 2018.
 (Notary Seal)

My commission expires 5.29.22



Prepared By
Cowan & Cowan, P.A.
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