

This instrument prepared by:
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File 96-169
Rev. \$0.00 (gift)

BOOK K-21
PAGE(S) 370-372

CHB

**STATE OF NORTH CAROLINA
MACON COUNTY**

THIS DEED, Made this, the 15th day of May, 1996, by **KENNETH COOK**, unmarried widower of Macon County, State of North Carolina, party of the first part, to **DENNIS COOK**, of P.O. Box 53, Aquone, North Carolina 28703, party of the second part; whether one or more; the neuter gender shall be deemed to include the masculine and feminine and the singular number the plural, and vice versa:

WITNESSETH:

That the said party of the first part in consideration of Ten Dollars and other valuable considerations, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell and convey unto said party of the second part, his heirs, successors and assigns, a certain tract or parcel of land in Nantahala Township, Macon County, State of North Carolina, being more particularly described as follows:

See attached Schedule A

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging, or in anywise thereunto appertaining, unto the said party of the second part, his heirs and assigns, to their only use and behoof, in fee simple forever, subject to those exceptions, reservations, and limitations following the description hereinabove set forth.

And the said party of the first part covenant with said party of the second part, his heirs, successors and assigns, that he is seized of said premises in fee, and has the right to convey the same in fee simple; that the same are free and clear from all liens and encumbrances, and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever, subject to those exceptions, reservations, and limitations following the description hereinabove set forth.

Schedule A

Being a portion of the lands described and conveyed by the deed from Claude Solesbee, et ux, et al to Kenneth Cook and wife, Joyce Cook, dated December 13, 1961 and recorded in the Office of the Register of Deeds of Macon County, North Carolina in Book W-6, page 55, and being more particularly described as follows:

BEGINNING at a point in the centerline of a 30-foot wide road right of way, said point being located South 07 degrees 03 minutes 04 seconds East 24.62 feet from an iron rod, said point of beginning also being the beginning corner of the lands described in the deed from Kenneth Cook to Danny Cook and wife, Michelle F. Cook dated May 19, 1995 and recorded in the Office of the Register of Deeds of Macon County, North Carolina in Book W-20, pages 1251-1253; runs thence from said point of beginning North 07 degrees 03 minutes 04 seconds West 24.62 feet to an iron rod; thence North 03 degrees 13 minutes 21 seconds East 142.98 feet to a point in the center of a ridge; thence continuing with the center of said ridge the following courses and distances: North 26 degrees 47 minutes 50 seconds East 117.09 feet and North 15 degrees 29 minutes 30 seconds East 125.62 feet; thence North 07 degrees 07 minutes 13 seconds East 131.79 feet to an iron rod in center of Woods Road; thence along and with the centerline of Woods Road the following courses and distances: South 86 degrees 13 minutes 47 seconds East 20.63 feet, North 60 degrees 52 minutes 31 seconds East 99.84 feet, North 77 degrees 37 minutes 04 seconds East 51.98 feet, South 65 degrees 09 minutes 37 seconds East 57.03 feet, South 42 degrees 25 minutes 00 seconds East 73.76 feet, South 78 degrees 37 minutes 03 seconds East 46.28 feet, and North 70 degrees 25 minutes 25 seconds East 11.76 feet to an iron rod in the center of Woods Road; thence leaving Woods Road South 25 degrees 04 minutes 21 seconds East 426.96 feet to an iron rod set in center of a second ridge in fence line; thence along and with the fenced ridge the following courses and distances: South 80 degrees 21 minutes 27 seconds West 119.77 feet, South 71 degrees 32 minutes 26 seconds West 46.09 feet, and South 47 degrees 33 minutes 25 seconds West 365.96 feet to an iron rod in fence line; thence South 53 degrees 39 minutes 42 seconds West 41.66 feet to a point in the centerline of S.R. 1404, said point being located North 53 degrees 39 minutes 42 seconds East 43.85 feet from a 36-inch poplar with ingrown fence; thence along and with the centerline of S.R. 1404 the following courses and distances: North 21 degrees 08 minutes 47 seconds West 16.68 feet, North 09 degrees 34 minutes 13 seconds West 62.19 feet, North 19 degrees 42 minutes 06 seconds West 26.32 feet and North 40 degrees 03 minutes 23 seconds West 22.15 feet to the point of intersections of the centerlines of S.R. 1404 and the said 30-foot wide road right of way; thence leaving S.R. 1404 and continuing with and along the centerline of said 30-foot wide road right of way the following courses and distances: North 03 degrees 46 minutes 40 seconds West 33.93 feet, North 58 degrees 18 minutes 09 seconds West 57.19 feet, and North 76 degrees 05 minutes 50 seconds West 50.83 feet to the point of beginning, containing 6.14 acres, more or less, and being described herein as surveyed by Charles V. Bryson, Registered Land Surveyor, as shown on his unrecorded plat entitled "Dennis Cook" dated April 24, 1996, Project #96056.

Party of the first part further conveys unto parties of the second part, their heirs and assigns, the right to use in common with party of the first part and all others who now have or may hereafter acquire the right to use the same, an easement for road right of way 30 feet in width the centerline of which forms a portion of the southwest boundary of the lands conveyed herein, together with the continuation of said road right of way to intersection of S.R. 1404; provided however, party of the first part reserves unto himself, his heirs and assigns, the right to use said road right of way in common with parties of the second part.

This conveyance is made subject to the easement and right of way for S.R. 1404, subject to the easement and right of way for the 30-foot wide access road the centerline of which forms a portion of the southwest boundary of the lands conveyed herein and also subject to the easement and right of way for Woods Road, the centerline of which forms the north boundary of the lands conveyed herein.

This conveyance is also made subject to existing easements for public utilities, if any.

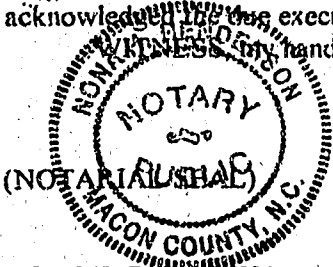
IN TESTIMONY WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Kenneth Cook (SEAL)
KENNETH COOK

STATE OF NORTH CAROLINA
COUNTY OF MACON

I, Nona H. Henderson, a Notary Public of the aforesaid County and State, hereby certify that Kenneth Cook, unmarried widower appeared before me this day, and acknowledged the execution of the annexed deed of conveyance.

WITNESS my hand and Notarial Seal, or stamp, this 15th day of May, 1996.



Nona H. Henderson
Notary Public
My Commission Expires: 3/30/2000

NORTH CAROLINA
COUNTY OF MACON

The foregoing or annexed certificate(s) of Nona H. Henderson a N.P. of Macon County, State of NC; attested by her Seal(s) is certified to be correct. Presented for registration and recorded in this office in Book A-21, Pages 370-372, this 23rd day of May, 1996 at 12:09 o'clock P. M.

Janet Robinson
Register of Deeds, Macon County, North Carolina