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FILED Dec 10, 2021 11:20:12 am FILED
BOOK 01698 CHEROKEE
PAGE 1136 THRU 1140 COUNTY NC
INSTRUMENT # 08303 DAPHNE DOCKERY
RECORDING \$26.00 REGISTER
EXCISE TAX \$73.00 OF DEEDS
KMW

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: 12-10-21 By: *JS*

North Carolina Special Warranty Deed

This instrument prepared by: **Noland W. Smith
McKeever & Smith, P.A.
P.O. Box 491
Murphy, NC 28906**

Title File # 1225-D
Deed Stamps \$73.00
PIN# 4576-00-96-7122-000
4586-00-05-5679-000

Brief Description for the Index

Lots 26, 46, 47, 48, and 51, Hidden Mountain

THIS DEED made this the 22nd day of November, 2021, by and between:

GRANTOR	GRANTEE
<p>NANTAHALA BANK & TRUST COMPANY, a North Carolina Banking Corporation 120 Siler Road Franklin, NC 28734</p>	<p>THE CLEARY LLC, a Florida Limited Liability Company 8301 Colee Cove Road Saint Augustine, FL 32092</p>

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by the presents does grant, bargain, sell, and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of N/A, **Beaverdam Township, Cherokee County, North Carolina** and more particularly described as follows:

PARCEL ONE:

All that certain tract or parcel of land containing **1.15 acres, more or less, being Lot 26, Hidden Mountain, Beaverdam Township, Cherokee County, North Carolina** and being more particularly described according to a plat of survey dated November 28, 2005 and revised March 16, 2007, by Donald L. Cordell, PLS, and from said plat of survey described as follows:

BEGINNING on an iron pin set being a point in common with Lots 27, 22 and 23, and runs then with the line of Lot 23 S 29-53-42 W 179.21 feet to an iron pin set being a point in common with Lots 23, 24 and 25; then with the line of Lot 25 S 49-14-57 E 271.95 feet to an iron pin set at or near the margin of an access road; then continuing S 49-14-58 E 19.64 feet to a point in the centerline of said road; being a point in common with Lots 25 and 29; then with the centerline of said road and with the line of Lot 29 and later the line of Lot 28 the following courses and distances: N 48-04-10 E 10.02 feet; N 48-04-10 E 19.68 feet; N 37-28-22 E 39.02 feet; N 32-27-44 E 16.39 feet; N 32-27-43 E 28.09 feet and N 27-22-56 E 53.50 feet to a point in the centerline of said road being a point in common with Lots 27 and 28; then turning and leaving said road centerline and with the line of Lot 27 N 45-15-02 W 16.55 feet to an iron pin set and N 45-14-55 W 291.04 feet to the BEGINNING.

THIS CONVEYANCE IS MADE TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual right of way and easement 40 feet in width, 20 feet on each side of the centerline thereof, over and across the existing access roads which lead from the hereindescribed tract out to the state maintained road so as to provide ingress, egress, regress and utilities to the hereindescribed tracts and the appurtenant lands of Grantor out to the state maintained road.

THIS CONVEYANCE IS SUBJECT TO the Restrictive Covenants and Conditions governing Hidden Mountain as set forth in Deed Book 1085, Page 515, and Deed Book 1207, Page 750, Cherokee County, NC Registry.

THIS CONVEYANCE IS SUBJECT TO the right of way in favor of Blue Ridge Mountain EMC for the distribution of electric power to the subdivision as recorded in Deed Book 1085, Page 512, Cherokee County, NC Registry.

FOR SOURCE OF TITLE reference Deed Book 1428, Page 79, Cherokee County, NC Registry.

PARCEL TWO:

All that certain tract or parcel of land containing **1.01 acres, more or less, being designated at Lot 46, Hidden Mountain, Beaverdam Township, Cherokee County, North Carolina** and being more particularly described according to a plat of survey dated January 15, 2007, as revised March 16, 2007, by Donald L. Cordell, PLS, and from said plat of survey described as follows:

BEGINNING on an iron pin set on or near the margin of an access road being a point in common with Lot 51 and runs then with the line of Lot 51 N 31-31-27 W 91.39 feet to an iron pin set; then continuing N 31-

31-28 W 31.38 feet to a point in the centerline of an access road being a point in common with Lots 51, 48, and 47; then with the centerline of said access road and with the line of Lot 48 and later the line of Lot 47 the following courses and distances: S 63-45-45 W 14.12 feet; S 75-01-29 W 14.32 feet; S 75-01-29 W 26.31 feet; S 71-56-44 W 49.13 feet; S 57-58-12 W 19.03 feet; S 35-53-12 W 31.60 feet; S 14-00-53 W 31.74 feet; S 03-06-50 W 51.30 feet; S 14-35-30 W 35.69 feet; S 31-51-56 W 26.55 feet; S 49-41-47 W 18.88 feet and S 85-54-25 W 35.18 feet to a point of intersection with the above referenced access road and the main subdivision access road; then with said main subdivision access road S 64-46-59 W 23.08 feet; S 64-47-00 W 33.38 feet and S 77-36-55 W 71.11 feet to a point of intersection with the main subdivision access road and another access road being a point in common with Lots 41 and 44; then with the centerline of said other access road and with the line of Lot 44 and later the line of Lot 45 the following courses and distances: S 63-13-15 E 53.18 feet; S 69-34-29 E 32.80 feet; S 84-24-36 E 49.27 feet; N 86-03-31 E 27.04 feet; N 69-10-26 E 23.84 feet; N 55-29-40 E 52.03 feet; N 47-09-11 E 99.22 feet; N 44-59-28 E 64.59 feet; N 66-49-22 E 35.33 feet and N 78-20-42 E 44.22 feet to a point in the centerline of said road being a point in common with Lots 45 and 51; then turning and leaving said road centerline and with the line of Lot 51 N 31-31-27 W 24.11 feet to the BEGINNING.

PARCEL THREE:

All that certain tract or parcel of land containing **1.03 acres, more or less, being designated at Lot 51, Hidden Mountain, Beaverdam Township, Cherokee County, North Carolina** and being more particularly described according to a plat of survey dated January 15, 2007, as revised March 16, 2007, by Donald L. Cordell, PLS, and from said plat of survey described as follows:

BEGINNING on an iron pin set on or near the Northern margin of an access road being a point in common with Lot 46 and runs then from said BEGINNING point S 31-31-27 E 24.11 feet to a point in the centerline of said road being a point in common with Lots 45 and 46; then with the centerline of said road N 78-20-42 E 19.45 feet; S 88-35-46 E 35.51 feet; S 71-19-18 E 38.18 feet; S 62-19-44 E 116.43 feet; S 62-28-15 E 28.04 feet and S 43-33-19 E 23.36 feet to a point in the centerline of said road being a point in common with Lot 54; then turning and leaving said road centerline and with the line of Lot 54 N 11-02-45 W 33.59 feet to an iron pin set and N 11-05-54 E 40.00 feet to an iron pin set being a point in common with Lots 54 and 52; then with the line of Lot 52 N 11-05-54 E 107.71 feet to an iron pin set being a point in common with Lots 52 and 50; then with the line of Lot 50 N 77-14-41 W 230.53 feet to an iron pin set; then N 11-32-56 W 27.59 feet to a point in the centerline of an access road being a point in common with Lots 50 and 48; then with the centerline of said road and with the line of Lot 48 N 88-00-33 W 14.18 feet; S 72-28-58 W 72.32 feet and S 63-45-45 W 36.73 feet to a point in the centerline of said road being a point in common with Lots 48 and 46; then turning and leaving said road centerline and with the line of Lot 46 S 31-31-28 E 31.38 feet to an iron pin set and S 31-31-27 E 91.39 feet to the BEGINNING.

PARCEL FOUR:

All that certain tract or parcel of land containing **0.51 acres, more or less, being designated at Lot 48, Hidden Mountain, Beaverdam Township, Cherokee County, North Carolina** and being more particularly described according to a plat of survey dated January 15, 2007, as revised March 16, 2007, by Donald L. Cordell, PLS, and from said plat of survey described as follows:

BEGINNING on an iron pin set on the Northern margin of an access road and being in the line of Lot 50 and runs then with the line of Lot 50 N 02-36-47 E 65.69 feet to an iron pin set being a point in common with Lots 49 and 50; then with the line of Lot 49 N 78-13-17 W 224.66 feet to an iron pin set being a point in common with Lots 49 and 47; then with the line of Lot 47 S 24-00-45 E 159.97 feet to an iron pin set; then S 24-00-44 E 30.12 feet to a point in the centerline of a subdivision access road being a point in common with Lots 46 and 51; then with the centerline of said road and the line of Lot 46 and later the line of Lot 51 the following courses and distances: N 75-01-29 E 14.32 feet; N 63-45-45 E 14.12 feet; N 63-45-45 E 36.73 feet; N 72-28-58 E 72.32 feet and S 88-00-33 E 14.18 feet to a point in the centerline of said road being a point in common with Lots 51 and 50; then turning and leaving said road centerline and with the line of Lot 50 N 11-32-56 W 15.00 feet to the BEGINNING.

PARCEL FIVE:

All that certain tract or parcel of land containing **0.94 acres, more or less, being designated at Lot 47, Hidden Mountain, Beaverdam Township, Cherokee County, North Carolina** and being more particularly described according to a plat of survey dated January 15, 2007, as revised March 16, 2007, by Donald L. Cordell, PLS, and from said plat of survey described as follows:

BEGINNING on an iron pin set on the Northern margin of an access road being a point in common to Lot 48; then with the line of Lot 48 N 24-00-45 W 159.97 feet to an iron pin set being a point in common to Lots 47 and 49; then with the line of Lot 49 N 41-47-25 W 36.66 feet to a point in the centerline of an access road being a point in common with Lots 49 and 35; then with the centerline of said road and with the line of Lot 35 and later the lines of Lots 36 and 39 the following courses and distances: N 78-45-56 W 31.27 feet; S 60-46-18 W 44.60 feet; S 09-02-28 W 69.81 feet; S 03-28-23 W 123.32 feet; S 12-41-41 E 69.49 feet; S 13-55-09 E 51.06 feet; S 00-41-08 W 44.98 feet; S 27-39-00 W 33.61 feet and S 41-45-39 W 17.03 feet to a point in the centerline of said road at the point of intersection with the centerline of another access road being a point in common with Lots 39 and 46; then with the centerline of said other access road and the line of Lot 46 the following courses and distances: N 85-54-25 E 35.18 feet; N 49-41-47 E 18.88 feet; N 31-51-56 E 26.55 feet; N 14-35-30 E 35.69 feet; N 03-06-50 E 51.30 feet; N 14-00-53 E 31.74 feet; N 35-53-12 E 31.60 feet; N 57-58-12 E 19.03 feet; N 71-56-44 E 49.13 feet and N 75-01-29 E 26.31 feet to a point in the centerline of said road being a point in common with Lots 46 and 48; then turning and leaving said road centerline and with the line of Lot 48 N 24-00-44 W 30.12 feet to the BEGINNING.

AS TO PARCELS TWO, THREE, FOUR AND FIVE:

THIS CONVEYANCE IS MADE TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual right of way and easement 40 feet in width, 20 feet on each side of the centerline thereof, over and across the existing access roads which lead from the hereindescribed tract out to the state maintained road so as to provide ingress, egress, regress and utilities to the hereindescribed tracts and the appurtenant lands of Grantor out to the state maintained road.

THIS CONVEYANCE IS SUBJECT TO the Restrictive Covenants and Conditions governing Hidden Mountain as set forth in Deed Book 1085, Page 515, and Deed Book 1207, Page 750, Cherokee County, NC Registry.

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FOR SOURCE OF TITLE reference Deed Book 1428, Page 79, Cherokee County, NC Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

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, or if an LLC, the Manager has executed on behalf of said company, the day and year first above written.

NANTAHALA BANK & TRUST COMPANY

By: Timothy S. Hubbs
Timothy S. Hubbs, Chief Executive Officer

State of North Carolina, County of MACON

I, Melanie Jo Tate, a Notary Public of said state and county, do hereby certify that **TIMOTHY S. HUBBS** personally came before me this day and acknowledged that he is the Chief Executive Officer of **NANTAHALA BANK & TRUST COMPANY, a North Carolina Banking Corporation**, and that he, as Chief Executive Officer, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 12nd day of December, 2021.

Melanie Jo Tate
Notary Public

My commission expires 03/21/2025

