



Doc ID: 016764670003 Type: CRP  
Recorded: 11/15/2006 at 04:16:43 PM  
Fee Amt: \$1,400.00 Page 1 of 3  
Excise Tax: \$1,380.00  
Workflow# 1975689  
Buncombe County, NC  
Otto W. DeBruhl Register of Deeds  
BK **4137** PG **1364-1366**

Excise Tax \$1,380.00

Mail after recording to: SCOTT BEST -Box 24 (05-1412)

This instrument was prepared by CARTER & KROPELNICKI, PA for Grantor

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made 11-10, 2005 by and between

<p><b>GRANTOR:</b></p> <p>STEPHEN S. DERMARGOSIAN, unmarried and MATTHEW CLARK, unmarried</p>	<p><b>GRANTEE:</b></p> <p>JEFFREY PAWLOSKI and STEVEN ROMANIK, both unmarried as joint tenants with the right of survivorship and not as tenants in Address: common 466 Elk Mountain Scenic Highway  Asheville, NC 28804</p>
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*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 these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Buncombe County, North Carolina, and more particularly described as follows:

BEGINNING at a 2" iron pin in the center of Old Wilson Dairy Road, which said iron pin marks the northwest corner of that certain tract conveyed to P.J. Ross by deed recorded in Deed Book 1945, at Page 368 Buncombe County, North Carolina Registry and runs thence with the northern line of the aforesaid P.J. Ross said tract and the northern line of that tract conveyed to P.J. Ross by deed recorded in Deed Book 905, at Page 198 of the aforesaid registry, North 85 deg. 43' 45" East 204.77 feet to a 1" iron pin in the western margin of Elk Mountain Scenic Highway; thence with said margin of said highway North 06 deg. 53' 7" West 202.47 feet to a point; thence continuing with said margin of

said highway North 25 deg. 49 deg. 51" East 9.55 feet to a 1" iron pin; thence leaving said margin North 57 deg. 33 deg. 59" West 120.38 feet to a 3/4" iron pin in the center line of said Old Wilson Dairy Road; thence with the said road the following two (2) courses and distances: South 26 deg. 11' 00" West 24.42 feet to a 1" crimp top iron pin and South 15 deg. 00' 28" West 276.95 feet to the point and place of BEGINNING. Containing 0.90 acres, more or less, as shown on a survey prepared by Freeland-Clinkscales & Associates, Inc. dated October 7, 1992. (Drawing No. 12623). Being the same property conveyed to Grantors by Deed in Deed Book 3476 Page 749.

RESERVATION FOR LIMITED ACCESS EASEMENT: In order to continue the existing access to the remainder of Grantor's property standing to the South of the subject property, reserved herewith is the non-exclusive, perpetual easement for ingress, egress and regress within the area described as follows: BEGINNING at the Southeastern corner of the subject property as described above (herein "Grantee's Property"), then from the beginning corner thus established and with the South line thereof South 85 degrees 43 minutes 45 seconds West 25.00 feet to a new point in the South line; then a new line North 6 degrees 53 minutes 7 seconds West 15.00 feet to a new point; then a new line North 85 degrees 43 minutes 45 seconds East 25.00 feet to a new point in the East line; then with the East line South 6 degrees 53 minutes 7 seconds East 15.00 feet to the point of BEGINNING. This easement shall serve and be an appurtenance to all the real property currently owned by Grantors standing to the South of the subject property including that described in Deed Book 2916, Page 338, Book 2397, Page 686 and Book 3476, Page 749.

IT IS PROVIDED HOWEVER that this limited access easement is to be used by Grantor only for lawn equipment and any kind of equipment for maintaining, caring for and improving Grantor's property, but is not to be used by Grantor for access by passenger vehicles. Grantor covenants to repair any damage caused by Grantor's act or omission. Grantee's use of the right of way is unrestricted.

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.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Subject to easements and restrictions of record.

IN WITNESS WHEREOF the 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)  
STEPHEN S. DERMARGOSIAN

**BOOK 2916**  
**PAGES 338 - 339**

Buncombe County, NC  
Recorded 09/16/2002 02:31:51pm  
No 9999-00140565 1 of 2 pages  
Excise Tax: \$4.00  
Otto W. DeBruhl, Register of Deeds

Revenue Stamps: \$ 4.00  
Parcel Identifier No. p/o 9741.19-71-4347

This instrument was prepared by: Best and Best, PLLC  
Mail after recording to: Grantees

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**NORTH CAROLINA GENERAL WARRANTY DEED**

**THIS DEED** is made this 13<sup>th</sup> day of September, 2002, by and between

**JOHN H. LIVELY and LUCY C. LIVELY, husband and wife, herein GRANTOR, and**

**STEPHEN S. DERMARGOSIAN and MATTHEW W. CLARK, joint tenants with rights of survivorship and not as tenants in common, herein GRANTEE, whose address is 466 Elk Mountain Scenic Highway, Asheville, NC 28804.**

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.

The Grantor, for a valuable consideration paid by the Grantee, the receipt of which and sufficiency of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain parcel of land particularly as follows:

**LYING IN BEAVERDAM TOWNSHIP OF BUNCOMBE COUNTY, NC**

BEGINNING at an iron pipe which marks the northwestern corner of the property of the Grantees herein as the same is described in Deed Book 2397, at Page 686, being in the southern line of the property of the Grantees as described in Deed Book 1945, at Page 367; thence running with the western line of the property of the Grantees as described in Deed Book 2397, at Page 686, South 06 deg. 54' 28" West 193.50 feet to an iron pipe; thence North 58 deg. 24' 56" West 132.58 feet to an iron pipe set in the center of an old roadbed, now closed; thence with the centerline of said old roadbed, North 28 deg. 24' 30" East 28.44 feet to an iron pipe and North 12 deg. 38' 46" East 89.54 feet to an iron pipe which marks the southwestern corner of the property of the Grantees as described in Deed Book 1945, at Page 367; thence with the southern line of said last mentioned property, North 84 deg. 18' 22" East 103.59 feet to the BEGINNING. Containing 0.389 acres, according to a survey entitled "Survey for Stephen S. Dermargosian and Matthew W. Clark", by Danny R. Tolar, PLS dated March 7, 2000 and recorded in the Office of the Register of Deeds for Buncombe County in Plat Book 37, at Page 139.

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This conveyance is made subject to a restriction, which shall run with the land, that the above described property not be used for construction of a dwelling.


**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.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against lawful claims of all persons whomsoever except for the exemptions herein after stated.

Title to the property hereinabove described is subject to the following exceptions: easements and rights of way of record.

**IN WITNESS WHEREOF**, the Grantor has executed this instrument, the day and year first above written.

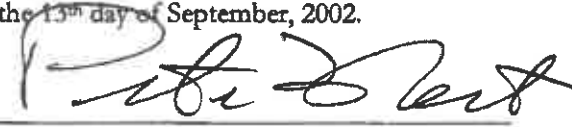
  
 \_\_\_\_\_  
 JOHN H. LIVELY

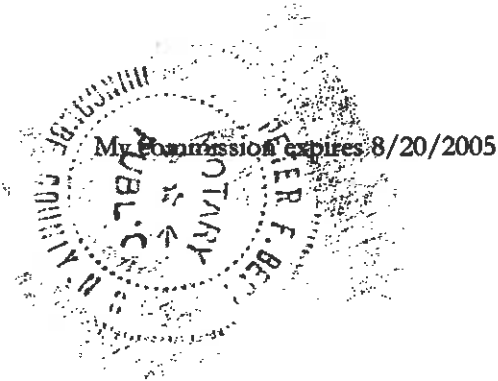
  
 \_\_\_\_\_  
 LUCY C. LIVELY

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

I, Peter F. Best, a Notary Public of the County and State aforesaid, certify JOHN H. LIVELY and LUCY C. LIVELY, husband and wife, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 15<sup>th</sup> day of September, 2002.

  
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 NOTARY PUBLIC



The foregoing Certificate of Peter F. Best is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

  
**REGISTER OF DEEDS FOR BUNCOMBE COUNTY**

By   
 \_\_\_\_\_  
 Deputy / Assistant - Register of Deeds