

BK 1965 PG 363

16 50

REGISTERED

97 MAY 23 P3:39

*Atty. J. C. Reynolds*  
REGISTERED  
BUNCOMBE CO. N.C.

Excise Tax -0-

Recording Time, Book and Page

Tax Lot No. .... Parcel Identifier No. ....  
Verified by ..... County on the ..... day of ....., 19 ....  
by .....

Mail after recording to Stephen B. Cole, 345 Racquet Club Road, Asheville, NC, 28803

This instrument was prepared by Joseph C. Reynolds, Atty. at Law, 14 Oakwilde Drive, Asheville, NC, 28803

Brief description for the Index

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 22nd day of May, 19 97, by and between

GRANTOR

GRANTEE

BARBARA BYRD COLE, unmarried

STEPHEN B. COLE

345 Racquet Club Road  
Asheville, NC 28803

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 these 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 ....., Limestone Township, Buncombe County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED

004954

## EXHIBIT A

DESCRIPTION - BARBARA B. COLE

BEGINNING at a stake in the center of the proposed 20 ft. right of way in the east line of Stephen B. Cole and wife's property and running thence South 15 deg. 58' 12" East 76.75 feet to a point; thence continuing with Stephen B. Cole's line and the north line of the former Jorgensen property, Deed Book 1469, Page 209, South 86 deg. 40' 21" East 149.30 feet to Harold E. Littleton, Jr., and wife's line, Deed Book 1437, Page 32; thence with Littleton's west line North 22 deg. 32' 41" East 168.81 feet to the center of said proposed 20 ft. right of way shown on a map of Webb A. Morgan and Associates; thence continuing North 22 deg. 32' 41" East 34.38 feet to the center of Dingle Creek, former Bernice L. Hull property, Deed Book 1025, Page 205; thence down with the center of Dingle Creek eight calls as follows: North 63 deg. 13' 38" West 20.00 feet; North 53 deg. 58' 27" West 32.59 feet; North 70 deg. 52' 39" West 75.66 feet; South 59 deg. 48' 49" West 19.34 feet; South 72 deg. 18' 15" West 20.01; South 81 deg. 01' 55" West 40.46 feet; North 74 deg. 46' 38" West 60.39 feet; North 66 deg. 20' 36" West 34.48 feet; thence with Stephen Cole's east line South 15 deg. 58' 12" East 151.35 feet to the point of BEGINNING.

RESERVING a 30 ft. right of way for the benefit of Stephen B. Cole and wife, the center of said 30 ft. right of way is described by metes and bounds as follows: BEGINNING at a stake in the center of the proposed 20 ft. right of way on the plat, a copy of which is attached hereto, in Littleton's line, said beginning point of this right of way lying South 22 deg. 32' 41" West 34.38 feet from the northeast corner of the property which is in the center of Dingle Creek; and running thence with the center of this reserved 30 ft. right of way, which lies 15 feet on either side of the centerline of the 30 ft. right of way, North 59 deg. 23' 09" West 51.37 feet; North 64 deg. 53' 21" West 31.71 feet; North 76 deg. 46' 45" West 17.00 feet; South 76 deg. 35' 36" West 37.37 feet; South 49 deg. 41' 41" West 90.63 feet; South 49 deg. 09' 08" West 27.37 feet; South 44 deg. 54' 46" West 15.78 feet to the point of BEGINNING.

Said property being known as Lot No. 4 on said plat by Webb A. Morgan and Associates, R.L.S., dated October 1, 1985, a copy of which is attached hereto to show the metes and bounds of the property and of the 30 ft. right of way and the centerline. It should be noted that the Grantor does specifically change the right of way from the proposed 20 feet to 30 feet.

And being the same property described in a deed from Garland B. Lance and wife, Ethel S. Lance, to Barbara Byrd Cole, Deed Book 1045, Page 315, Buncombe County Registry.

SUBJECT TO subdivision restrictions, easements and right of way of record and physically located on the property.

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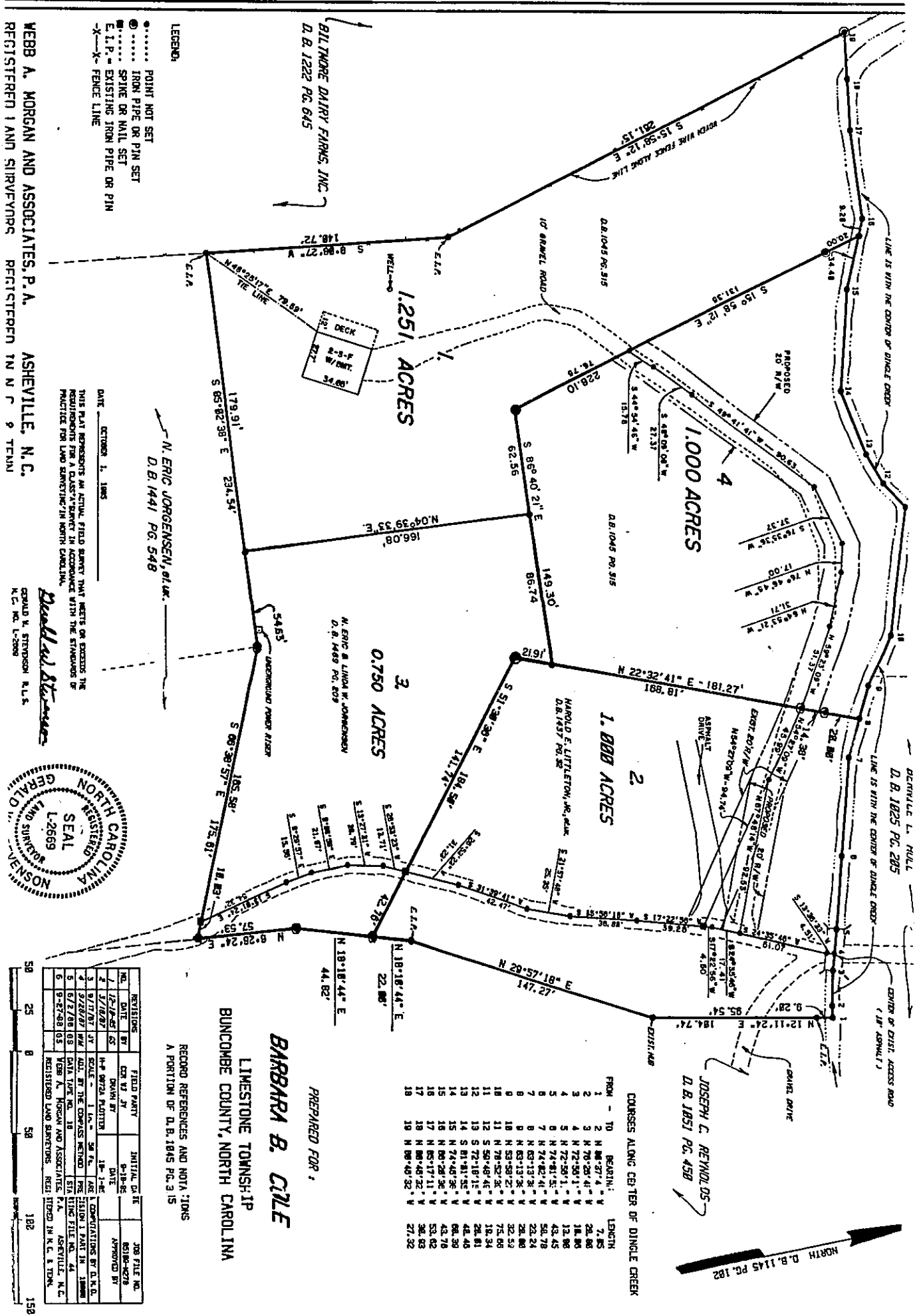
(ATTACHMENT)

SUBJECT TO the Zoning Ordinances of Limestone Township.

The parties agree that included is all of the Grantors' right and interest in the right of way across Harold E. Littleton, Jr., and wife's property and the right of way along the eastern edge of Littleton's property across Dingle Creek and to Hendnersonville Road. With the right of egress and ingress over the rights of way and roads. With the right to run any and all utility lines in said 30 ft. right of way. With the right to maintain, gravel, pave and widen said existing private drive within the 30 ft. right of way.

(ATTACHMENT)

THIS MAP IS NOT A CERTIFIED SURVEY, AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.



WEBB A. MORGAN AND ASSOCIATES, P.A.  
 REGISTERED LAND SURVEYORS  
 ASHEVILLE, N.C.  
 REGISTERED IN N.C. 9 TENN

LEGEND:  
 ●..... POINT NOT SET  
 ○..... IRON PIPE OR PIN SET  
 ⊙..... SPIKE OR NAIL SET  
 ⊕..... EXISTING IRON PIPE OR PIN  
 -X-X- FENCE LINE

DATE: OCTOBER 1, 1965  
 THIS PLAN REPRESENTS AN ACTUAL FIELD SURVEY THAT MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA.  
 N. ERIC JORGENSEN, S.L.S.  
 D.B. 1441 P.G. 548



COURSES ALONG CENTER OF DINGLE CREEK

FROM - TO	BEARING:	LENGTH:
1	N 88° 27' 4" W	7.85
2	N 79° 28' 41" W	28.88
3	N 72° 58' 11" W	18.86
4	N 72° 58' 11" W	13.88
5	N 74° 41' 55" W	43.45
6	N 74° 41' 55" W	52.78
7	N 63° 13' 38" W	22.24
8	N 63° 13' 38" W	22.86
9	N 53° 59' 27" W	22.86
10	N 53° 59' 27" W	72.66
11	N 78° 52' 36" W	12.24
12	S 50° 48' 45" W	12.81
13	S 72° 18' 15" W	48.40
14	S 81° 41' 55" W	68.39
15	N 74° 41' 55" W	43.78
16	N 65° 17' 11" W	53.62
17	N 65° 17' 11" W	36.63
18	N 65° 40' 32" W	36.63
19	N 65° 40' 32" W	27.32

PREPARED FOR:  
**BARBARA B. CYLE**  
 LIMESTONE TOWNSHIP  
 BUNCOMBE COUNTY, NORTH CAROLINA

RECORD REFERENCES AND NOTES: THIS IS A PORTION OF D.B. 1845 P.G. 315

NO.	DATE	BY	FIELD PARTY	INITIALS	DATE	JOB FILE NO.
1	12-18-65	CS	CS		12-18-65	6018-4278
2	7/18/67	JT	CS, JT		7-18-67	6018-4278
3	9/17/67	JT	CS, JT		9-17-67	6018-4278
4	3/22/68	CS	CS		3-22-68	6018-4278
5	6/2/68	CS	CS		6-2-68	6018-4278
6	9-27-68	CS	CS		9-27-68	6018-4278

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 1045, Pge. 315

A map showing the above described property is recorded in Plat Book ..... page.....

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:

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.

.....  
(Corporate Name)

By: .....

.....  
President

ATTEST:  
.....

.....  
Secretary (Corporate Seal)

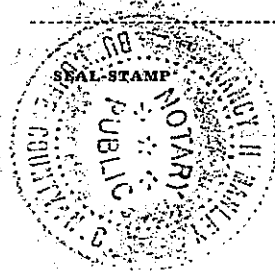
USE BLACK INK ONLY

*Barbara Byrd Cole* ..... (SEAL)  
BARBARA BYRD COLE, unmarried

..... (SEAL)

..... (SEAL)

..... (SEAL)



NORTH CAROLINA, Buncombe County.

I, a Notary Public of the County and State aforesaid, certify that .....  
BARBARA BYRD COLE Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23d day of May, 1997.

My commission expires: 11-30-98 Nancy H. Manley Notary Public

SEAL-STAMP

NORTH CAROLINA, ..... County.

I, a Notary Public of the County and State aforesaid, certify that .....  
personally came before me this day and acknowledged that ..... he is ..... Secretary of

..... a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its .....  
President, sealed with its corporate seal and attested by ..... as its ..... Secretary.

Witness my hand and official stamp or seal, this ..... day of ....., 19.....

My commission expires: ..... Notary Public

The foregoing Certificate(s) of Nancy H. Manley

is/are 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.

Otto W. DeBruke REGISTER OF DEEDS FOR Buncombe COUNTY

By Sharon C. Sawyer Deputy/Assistant Register of Deeds