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Workflow No. 2046541 HK

Doc ID: 017637840004 Type: CRP  
 Recorded: 08/01/2008 at 09:45:31 AM  
 Fee Amt: \$389.00 Page 1 of 4  
 Excise Tax: \$380.00  
 Workflow# 2048541  
 Buncombe County, NC  
 Otto W. DeBruhl Register of Deeds  
 BK4262 PG484-487

## NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 360.00

Parcel Identifier No. 9606.01-19-9668.000 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_Mail/Box to: Richard J. Maiba, Law Offices of Richard J. Maiba, P.A., 35A Montford Avenue, Asheville, NC 28801This instrument was prepared by: Law Offices of Richard J. Maiba, P.A., 35A Montford Avenue, Asheville, NC 28801

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 31st day of July, 2006 by and between

## GRANTOR

Joe H. McCormack and wife,  
 Juanita H. McCormack  
 Jeffrey S. Candler and wife,  
 Kristina M. Candler

## GRANTEE

Philip P. Banks and wife,  
 Jennifer L. Banks  
 23 Beaverdam Road  
 Candler, NC 28715

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 Candler Township, Buncombe County, North Carolina and more particularly described as follows:  
 See Attached

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4049 page 172.

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

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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, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)

By: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_



Joe H. McCormack (SEAL)  
Joe H. McCormack

Juanita H. McCormack (SEAL)  
Juanita H. McCormack

Jeffrey S. Candler (SEAL)  
Jeffrey S. Candler

Kristina M. Candler  
Kristina M. Candler

State of North Carolina - County of Buncombe

I, the undersigned Notary Public of the County and State aforesaid, certify that Joe H. McCormack and wife, Juanita H. McCormack and Jeffrey S. Candler and wife, Kristina M. Candler personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 31 day of July, 2006

My Commission Expires: 2/22/08

Notary Public

State of North Carolina - County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_ a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, \_\_\_\_\_ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

Notary Public

State of North Carolina - County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_

Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

Notary Public

The foregoing Certificate(s) of \_\_\_\_\_ 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.

Register of Deeds for \_\_\_\_\_ County

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

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State of North Carolina

BUNCOMBE County

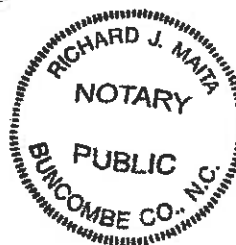
I, Richard J. Maita, a Notary Public for Buncombe County, North Carolina, do hereby certify that Juanita H. McCormack, attorney in fact for Joe H. McCormack, personally appeared before me this day, and being by me duly sworn, says that he/she executed the foregoing and annexed instrument for and in behalf of the said Joe H. McCormack and that his/her authority contained in an instrument duly executed, acknowledged, and recorded in the office of THE REGISTER OF DEEDS in the County of Buncombe County, State of NORTH CAROLINA, and that this instrument was executed under and by virtue of the authority given by said instrument granting him/her power of attorney.

Witness my hand and official seal, this the 31st day of July, 2006.

(Official Seal)

Notary Public

My Commission Expires: 2/22/2008



ATTACHMENT

TRACT I: BEGINNING at an "X" chiseled in the center of a concrete driveway and running thence with the center of the drive, the common line between the Grantors and the property previously conveyed by the Grantors to Earl V. Farmer and wife, Judith R. Farmer in Book 2735, Page 247 of the Buncombe County Registry, North 64 deg. 38 min. 41 sec. East, passing a P.K. Nail in the top of a Block Wall at 114.86 feet, a total distance of 214.88 feet to a No. 5 rebar in the line of Marvin E. Allen; thence with Allen's line South 33 deg. 05 min. 33 sec. East 107.87 feet to an iron pin set in the northern boundary of the Right of Way of NC 151; thence with the northern margin of said Right of Way of South 56 deg. 06 min. 05 sec. West 152.41 feet to an iron pin; thence continuing with said Right of Way, North 59 deg. 00 min. 33 sec. West 139.45 feet to an iron pin; thence North 31 deg. 19 min. 26 sec. West 13.60 feet to the point of place of BEGINNING.

TRACT II: BEGINNING at a point in the margin of the Right of Way of beaverdam Road, said point being located South 64 deg. 38 min. 41 sec. West 85.80 feet from the BEGINNING point of Tract I; and runs thence with the margin of the Right of Way of Beaverdam Road South 41 deg. 21 min. 00 sec. East 103.72 feet to a point in the Right of Way of N.C. Highway 151; thence with the margin of said Right of Way, South 53 deg. 50 min. 22 sec. West 22.71 feet to a point in Hominy Creek; thence with Hominy Creek, North 39 deg. 11 min. 08 sec. West 107.07 feet; thence leaving the creek, North 64 deg. 39 min. 10 sec. East 19.32 feet to the point or place of BEGINNING.

TOGETHER WITH the benefits and burdens of a paved drive leading to and from Beaverdam Road, said paved drive being located in the northern line of the subject tract and the southern line of the property of Earl V. Farmer and wife, Judith R. Farmer, for purposes of ingress, egress and regress to and from Beaverdam Road.

THIS CONVEYANCE is further made together with and subject to the use of a joint driveway for the benefit of the above described property and the property described in Book 2735, Page 247 of the Buncombe County Register of Deeds Office. The parties said joint driveway shall each have the joint use of the driveway and shall each be responsible for 1/2 of all maintenance costs.

BEING the same property as conveyed by deed recorded in Deed Book 4049, Page 172, Buncombe County Registry.

PIN # 9806.01-19-9668.000

48314

23 Beaverdam Road, Candier, NC 28715