

BK 1517 PG 165

REGISTERED

'88 APR 28 AM 10:40

Excise Tax -0-

Recording Time, Book and Page

Tax Lot No. 80, Ward 15, Sheet 45 Parcel Identifier No. 15-00774

Verified by _____ County on the _____ day of _____, 19 _____
by _____

Mail after recording to Diane Clarke, 3 Oak St., Enka, NC 28728

POB 25-3

This instrument was prepared by Marc Rudow - ROBERTS, STEVENS & COGBURN, P.A.

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 27 day of April, 19 88, by and between

GRANTOR

GRANTEE

DEBORAH C. SCHWARTZ
(formerly Deborah C. Carver)
and husband,
RICHARD SCHWARTZPATRICIA DIANE CLARKE
3 Oak St.
Enka, NC 28728

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 _____, Lower Hominy Township, Buncombe County, North Carolina and more particularly described as follows:

BEING all of Lot 67, Block A of Enka Park, plat of which is recorded in Plat Book 30, at Page 46, Buncombe County Registry, reference to said plat being made for a more particular description of said Lot, and also being all that property conveyed to Deborah C. Carver (single) by deed dated August 3, 1979 and recorded in Deed Book 1223, at Page 133, Buncombe County Registry.

This conveyance is made subject to the first lien deed of trust executed by Deborah C. Carver (single) to Claude E. Pope, Trustee, securing an original indebtedness of \$27,000.00 to Cameron-Brown Company, which deed of trust is recorded in the Office of the Register of Deeds for Buncombe County, in Deed of Trust Book 935, at Page 746 and by acceptance of this deed, the Grantee expressly agrees to assume the present balance owing on said note secured by said deed of trust and agrees to pay the same according to the terms provided therein.

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EXHIBIT A

Grantee, by the acceptance of this Deed, does hereby covenant and agree with Grantors as follows: If at any time during the ownership of this property by Grantee, Grantee shall receive a bona fide offer from any person, persons, organization or organizations to purchase in whole or in part, the property described in this Deed, Grantee shall send to Grantors a copy of the proposed contract and notify Grantors of her intention to accept the same. The Grantors shall have the right within twenty (20) days to accept the terms of said contract in writing and within thirty (30) days thereafter to purchase the above-described property in their own name or in the name of a nominee, for the gross purchase price and on terms specified in said contract. If the Grantors shall not so elect within the said period of twenty (20) days, Grantee may then sell the above-described property to said offeror provided the said sale is on the said terms and conditions and for the price set forth in said contract sent to Grantors. This right of first refusal is personal to the Grantors and shall be in force and effect only so long as Grantee shall own the above-described property.

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This conveyance is made subject to a right of first refusal attached hereto as Exhibit A.

SUBJECT to and together with easements, restrictions, rights of way of record and 1988 taxes.

The property hereinabove described was acquired by Grantor by instrument recorded in
Deed Book 1223, at Page 133, Buncombe County Registry.

A map showing the above described property is recorded in Plat Book 30 page 46

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 his 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.

By _____ (Corporate Name) _____
President _____
Secretary (Corporate Seal) _____
ATTEST _____
OFFICIAL SEAL
Beverly B. Maddox
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Expires May 10, 1991
USE BLACK INK ONLY
x Deborah C. Schwartz (SEAL)
DEBORAH C. SCHWARTZ
x Richard Schwartz (SEAL)
RICHARD SCHWARTZ
STATE OF CA. SAN DIEGO County.
I, a Notary Public of the County and State aforesaid, certify that
Deborah C. Schwartz and husband, Richard Schwartz Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 13 day of April 1989
My commission expires: 7-10-91 Beverly B. Maddox 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

Beverly B. Maddox

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.

By _____ REGISTER OF DEEDS FOR Buncombe COUNTY

By _____ Deputy/Assistant-Register of Deeds