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RUTHERFORD COUNTY NC 09/27/2004
1
$1724.00

STATE OF NORTH CAROLINA

Real Estate Excise Tax

FILED
APR 04 2005
SECRETARY OF STATE

Deed
Book 0855 Page 0463
RUTHERFORD COUNTY NC
09/27/2004 10:29 AM
FAYE H. HUSKEY
Register Of Deeds
By: Deputy/Asst.

(Excise Tax $1724.00 ~~$2624.00~~)

NORTH CAROLINA SPECIAL WARRANTY DEED

Mail after recording to: Attorney
This instrument was prepared by: **DAMERON, BURGIN AND PARKER, P.A., Attorneys at Law, Marion, NC/** P.O. Box 1049 - Marion, NC 28752

THIS DEED made this 24 day of SEPTEMBER, 2004, by and between RUTHERFORD HILLS, L.P. A GEORGIA LIMITED PARTNERSHIP AUTHORIZED TO DO BUSINESS IN NORTH CAROLINA, **GRANTOR and THE STATE OF NORTH CAROLINA, (ADDRESS: C/O State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321), GRANTEE**:

The designation of 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 GOLDENROD Township, RUTHERFORD County, North Carolina and more particularly described as follows.

See Attachment A

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 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: The year 2004 ad valorem real property taxes, which Grantee by acceptance of this Deed agrees to pay when due; other exceptions listed in the attached legal description.

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.

Rutherford Hills, L. P. a Georgia Limited Partnership authorized to do business in North Carolina

BY: _____ (SEAL)
Robert L. Head, Jr., Managing Partner

I hereby certify that the within Deed has been presented to the County Tax Department.
This 27 day of Sept 2004
Tax Department

Attachment A

SITUATE, lying and being in GOLDEN VALLEY Township, Rutherford County, North Carolina, and being all of the 492.67 acres and parcel shown on that certain plat entitled "Property Conveyance to State of North Carolina" and "Property Division Survey for: State of north Carolina, Lone Mtn. Tract – Phase II" as shown in Rutherford County Registry, Plat Book , Page 25, Pages 153-154, Rutherford County, reference to which said plat is hereby made for all purposes, and which recorded plats are hereby incorporated by reference as if fully set forth herein.

SUBJECT TO the Mineral Reservations reserved by Champion Realty Corporation, its successors and assigns as contained in Deed recorded in Book 806, Page 259, Rutherford County Registry and Book 699, Page 169, McDowell County Registry; Right of way of NC Highway 226 and SR #1700 to their full legal widths; and Exceptions 1 through 13 listed in the Deed recorded at Deed Book 806, Page 259, Rutherford County, and Deed Book 699, page 169, McDowell.

By Execution hereof, Grantor herein, relinquishes, conveys and forever releases all rights in and to the use of a certain roadway which is currently in use, visible, in existence and on the ground, and which roadway provides a means of egress, regress and ingress from the NC HWY #226 to the property conveyed herein and which roadway is shown and described on the plat recorded at Plat Book 25, Pages 51-52, Rutherford County Public Registry. Said Roadway and Easement was specifically reserved by Grantor herein in that Deed Recorded at Deed Book 844, Page 162, Rutherford County Public Registry and at Deed Book 776, Page 989, McDowell County Public Registry.

AND BEING a portion of the lands described in Deed Book 806, Page 259, Rutherford County Public Registry.

Deed

Book 0855 Page 0465

STATE OF NC
COUNTY OF McDowell

I, Margaret A. Lorenz a notary public for the County and State aforesaid, certify that Robert L. Head, Jr. Managing Partner of Rutherford Hills, L. P., a Georgia Limited Partnership authorized to do business in North Carolina, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and seal this 24 day of SEPTEMBER, 2004.

Margaret A Lorenz
Notary Public

My Commission Expires: 6-18-2005

MARGARET A. LORENZ NOTARY PUBLIC McDOWELL COUNTY, N. C.

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STATE OF NC - RUTHERFORD CO
The foregoing certificate(s) of: Margaret A Lorenz
NP(s)
is/are certified to be correct at the date of recordation shown on the first page thereof.
Faye H. Huskey, Register of Deeds
By: _____ Deputy