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Filed for registration on the 2 day of Feb
20 05 at 12:46 o'clock P.m. and registered and
verified on the 2 day of Feb 2005
in book no: 372 of page 355
Cindy M. Overbay
Register of Deeds, Transylvania County

✓
REAL ESTATE EXCISE
TAX PAID: \$ 414.00
DM 2/2/05

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 414.00

Parcel Identifier No. 8583603088000 Verified by dy County on the 2nd day of FEB., 2005
By: _____

Mail/Box to: Brian P. Philips, P.A., 520 Country Club Road, P.O. Box 432, Brevard, NC 28712

This instrument was prepared by: Brian P. Philips, P.A., 520 Country Club Road, P.O. Box 432, Brevard, NC 28712

Brief description for the Index: _____

THIS DEED made this 2nd day of February, 2005, by and between

GRANTOR
V. Gregg Watters, III and wife, Patricia M.
Watters and Joseph E. Newton and Shirley W.
Newton, Trustees of the Joseph E. Newton and
W. Newton 1995 Inter Vivos Trust Agreement
dated 11/30/95

GRANTEE
Ronald E. Gurtler and wife,
Sharon P. Gurtler
332 Feather Place
Longwood, FL 32779

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 _____, Dunns Rock Township, Transylvania County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

The property hereinabove described was acquired by Grantor by instrument recorded in Book 110 page 123/128.

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

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

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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)

V. Gregg Watters III (SEAL)
V. Gregg Watters, III

By: _____
Title: _____

Patricia M. Watters (SEAL)
Patricia M. Watters

By: _____
Title: _____

Joseph E. Newton, Trustee (SEAL)

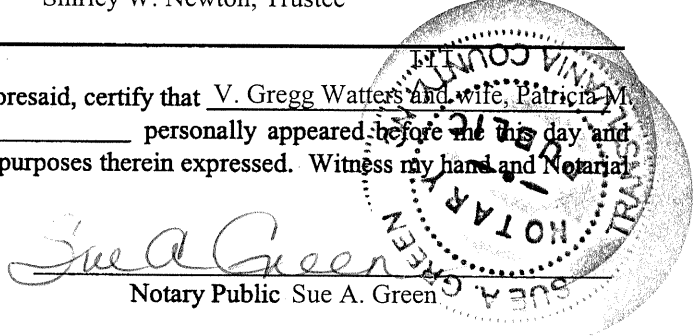
By: _____
Title: _____

Shirley W. Newton, Trustee (SEAL)

State of North Carolina - County of Transylvania

I, the undersigned Notary Public of the County and State aforesaid, certify that V. Gregg Watters and wife, Patricia M. Watters 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 28th day of January, 2005

My Commission Expires: September 3, 2007



Notary Public Sue A. Green

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 _____ next page → 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

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)

V. Gregg Watters, III (SEAL)

By: _____
Title: _____

Patricia M. Watters (SEAL)

By: _____
Title: _____

Joseph E. Newton, Trustee (SEAL)

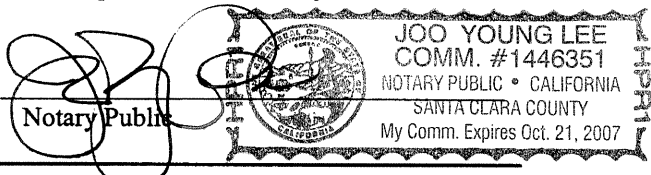
By: _____
Title: _____
CALIFORNIA

Shirley W. Newton, Trustee (SEAL)

State of ~~North Carolina~~ - County of SANTA CLARA

I, the undersigned Notary Public of the County and State aforesaid, certify that Joseph E. Newton, Trustee and Shirley W. Newton, Trustee 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 1st day of FEBRUARY (January), 2005

My Commission Expires: 10-21-07



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 Sue A. Green, Joo Young Lee 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: Cindy M. Dunbar Register of Deeds for Lawsylvania County
Deputy/Assistant - Register of Deeds

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EXHIBIT "A"

BEING all of Lot No. 61 of Unit 8, of Connestee Falls Development as shown by Plat thereof, recorded in Plat File 4, Slide 74B, Records of Plats for Transylvania County, North Carolina and on a unrecorded Map of a Survey for "Ronald Gurtler and wife, Sharon Gurtler" prepared by Associated Land Surveyors and dated January 24, 2005, Job No. S-04-208.

Subject to the privileges and mutual and beneficial restrictions, covenants, equitable servitudes and charges set forth in the Third Restatement of Declaration of Restrictive Covenants for Connestee Falls recorded in Book 421, Page 161, Records of Deeds for Transylvania County, North Carolina and by all subsequent amendments and supplemental declarations thereto appearing of record in the office of the Register of Deeds for Transylvania County.

Subject to the right of entry retained in Deed Book 232, Page 814, Transylvania County Registry.

This conveyance is made subject to the rights-of-way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights-of-way of all utility lines which may presently traverse the property and to all rights of way for public utilities which may presently appear of record.

000272 358A

MEMORANDUM OF TRUST

The Joseph E. Newton and Shirley W. Newton 1995 Inter Vivos Trust Agreement dated November 30, 1995, among other provisions contains the following provisions: The Declaration paragraph on the first page is as follows:

The Trustees hereby declare that Trustors have transferred to the Trustees without consideration the property described in Exhibit "A" of the deed.

The Article 2 and Section 2.01 are as follows:

The Trustees or any successor Trustee shall have full power and authority, without procuring any order, consent or confirmation of any court therefor during the existence of this Trust and any trust hereafter created hereunder to:

(a) exercise all of the rights, powers, and privileges of any owner, and, without intending to detract from the generality of the foregoing phrase, shall have full power with respect to the property of the Trust Estate or any part thereof and upon such terms and in such manner as the Trustees may deem advisable to sell, assign, convey, exchange for assets of an equal fair market value, convert, improve, repair, operate, partition, divide, subdivide; to encumber or lease for any period or periods within or beyond the life of this trust; to encumber, hypothecate, mortgage, pledge, borrow, by margin or otherwise using the trust property and principal as security; to collect and receive all rents, interest and income; to invest and reinvest the Trust Estate in such property which persons of prudence, discretion and intelligence acquire for their own account; to purchase securities (including short sales), whether or not of the character permitted by law for the investment of trust funds, specifically including, but not by way of limitation, interests in any common trust fund or trusts; to invest in life insurance policies on the lives of any of the beneficiaries hereunder; and to hold and retain any property originally received hereun, or subsequently acquired, for such length of time as they may deem advisable, without regard to what might otherwise be deemed to be proper by diversification.

(b) To sell, exchange or otherwise dispose of any property at any time held or acquired hereunder at public or private sale, for cash or on terms, without advertisement, included the right to lease for any term notwithstanding the period of the trust, and to grant options, including an option for a period beyond the duration of the trust.

000272 358A

MEMORANDUM OF TRUST

The Joseph E. Newton and Shirley W. Newton 1995 Inter Vivos Trust Agreement dated November 30, 1995, among other provisions contains the following provisions: The Declaration paragraph on the first page is as follows:

The Trustees hereby declare that Trustors have transferred to the Trustees without consideration the property described in Exhibit "A" of the deed.

The Article 2 and Section 2.01 are as follows:

The Trustees or any successor Trustee shall have full power and authority, without procuring any order, consent or confirmation of any court therefor during the existence of this Trust and any trust hereafter created hereunder to:

(a) exercise all of the rights, powers, and privileges of any owner, and, without intending to detract from the generality of the foregoing phrase, shall have full power with respect to the property of the Trust Estate or any part thereof and upon such terms and in such manner as the Trustees may deem advisable to sell, assign, convey, exchange for assets of an equal fair market value, convert, improve, repair, operate, partition, divide, subdivide; to encumber or lease for any period or periods within or beyond the life of this trust; to encumber, hypothecate, mortgage, pledge, borrow, by margin or otherwise using the trust property and principal as security; to collect and receive all rents, interest and income; to invest and reinvest the Trust Estate in such property which persons of prudence, discretion and intelligence acquire for their own account; to purchase securities (including short sales), whether or not of the character permitted by law for the investment of trust funds, specifically including, but not by way of limitation, interests in any common trust fund or trusts; to invest in life insurance policies on the lives of any of the beneficiaries hereunder; and to hold and retain any property originally received hereiun, or subsequently acquired, for such length of time as they may deem advisable, without regard to what might otherwise be deemed to be proper by diversification.

(b) To sell, exchange or otherwise dispose of any property at any time held or acquired hereunder at public or private sale, for cash or on terms, without advertisement, included the right to lease for any term notwithstanding the period of the trust, and to grant options, including an option for a period beyond the duration of the trust.

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

THIS DEED PREPARED BY
Ramsey, Hill, Smart, Ramsey & Hunt, P. A.
Ralph H. Ramsey, Jr.,
Attorneys

232 814

THIS DEED, made this 25th day of October, 1978, by CONNESTEE FALLS DEVELOPMENT CORPORATION, a North Carolina corporation, party of the first part, to V. GREGG WATTERS, EQUITY TRUST, Sunrise Drive, Sebring, Florida - 33870, party of the second part,

WITNESSETH:

That the said party of the first part, in consideration of the sum of Fourteen Thousand Six Hundred and 00/100 - - - - - Dollars (\$ 14,600.00) and other good and valuable considerations to it paid by the part y of the second part, the receipt of which is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the said part y of the second part, and its heirs, successors and assigns, subject to any limitations, easements and reservations set out herein, the following particularly described real estate located in the Township of Dunns Rock, County of Transylvania, North Carolina, to-wit:

19973

Being all of Lot No. 61 of Unit 8 of Connestees Falls Development as shown by plat thereof recorded in Plat Book 4, pages 74-74B, Records of Plats for Transylvania County, North Carolina.

TO HAVE AND TO HOLD the aforesaid piece, parcel or lot of land and all privileges and appurtenances thereto belonging, unto the said party of the second part, its heirs, successors or assigns, to their only use and behoof forever, subject, nevertheless, to the reservations and restrictive and protective covenants hereinafter set out.

It is understood and agreed that the property hereinabove described is conveyed subject to the privileges and mutual and beneficial restrictions, covenants, equitable servitudes and charges set forth in that certain Declaration of Restrictive Covenants by Connestees Falls Development Corporation, dated May 25, 1971, and recorded in Book 189, page 443, Records of Deeds for Transylvania County, North Carolina, as amended by that certain Amendment to The Declaration of Restrictive Covenants, dated August 18, 1971, and recorded in Book 190, page 437, Records of Deeds for Transylvania County, North Carolina, and by Supplemental Declarations of Restrictive Covenants of record in the office of the Register of Deeds for Transylvania County, North Carolina.

It is further understood and agreed that the party of the first part retains a Right of Entry on the property hereinabove described for the purpose of completing promised improvements and other related purposes, until such promised improvements have been completed or until the date upon which the party of the second part's last payment would have been made under the Agreement for Deed made between the parties hereto without prepayment, whichever is the later date.

And the said party of the first part, for itself, and its successors and assigns, covenants with the said part y of the second part, its heirs, successors and assigns, that it is seized of said premises in fee and has full right and power to convey the same in fee simple; that said land and premises are free from any and all encumbrances, with the exceptions above stated and current taxes, and that it will, and its successors shall, forever warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Connestees Falls Development Corporation has caused these presents to be executed in its name by its _____ President and its corporate seal to be hereto affixed and attested by its Assistant Secretary, all by order of its Board of Directors duly given, this the day and year first above written.

ATTEST: STATE OF NORTH CAROLINA, TRANSYLVANIA COUNTY, NOV 10 1978, P.B. 1761, Real Estate Excise Tax 15.00, Ralph H. Ramsey, Jr., Assistant Secretary

By: CONNESTEE FALLS DEVELOPMENT CORPORATION, [Signature], Vice President

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA.

232

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This is to certify that on this day before me, Bertha Jean Lance,
a Notary Public in and for said County, personally came Ralph H. Ramsey, Jr., with
whom I am personally acquainted, who, being by me duly sworn, says that _____
is the _____ President and that he is the Assistant Secretary of Connestee Falls Development
Corporation, the corporation described in and which executed the foregoing instrument; that he, Ralph H.
Ramsey, Jr., knows the common seal of said Corporation and that the seal affixed to the foregoing in-
strument is said common seal, and the name of said Corporation was subscribed thereto by said _____
President, and the said _____ President and said Assistant Secretary subscribed their names there-
to and said common seal was affixed, all by order of the Board of Directors of said Corporation, and the said
instrument is the act and deed of said Corporation.



Witness my hand and notarial seal, this the 25th day of October, 1978

Bertha Jean Lance
Notary Public

My Commission expires
April 11, 1980

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

The foregoing certificate of Bertha Jean Lance, Notary Public, is certified to
be correct. This deed was presented for registration and recorded in this office in Book 232 page 814
Records of Deeds.

This 7 day of Nov, 1978, at 10:30 o'clock A. M.

Fred W. Spradell
Register of Deeds

By _____
Deputy Register of Deeds