000578

000206

Filed for registration on the 1st day of Dec 2003 at 10:10 o'clock A m. and registered and verified on the 1st day of Dec 2003 in book no 206 of page 578

Cindy M. Clerbey
Register of Deeds, Transylvania County
By Peggy Capps, Deputy

REAL ESTATE EXCISE TAX PAID: $370.00 CMD

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $370.00

Parcel Identifier No._____ Verified by_____ County on the 1 day of December, 2003

By: SM

Mail/Box to: David C Neumann

This instrument was prepared by: DAVID C. NEUMANN, ATTORNEY AT LAW FILE NO 03-1252

Brief description for the Index:_____

THIS DEED made this 20th day of October, 2003, by and between

GRANTOR	GRANTEE
RUSSELL R. POPE, an unremarried widower	ISABELLE M. FAZIO, an unremarried widow 129 CHICADEE LANE BREVARD, NC 28712

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_____, CATHEYS CREEK 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_____ page_____.

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)

Russell R. Pope (SEAL)
RUSSELL R. POPE

By:_____ _____ (SEAL)

Title:_____

By:_____ _____ (SEAL)

Title:_____

By:_____ _____ (SEAL)

Title:_____

State of North Carolina - County of Transylvania

I, the undersigned Notary Public of the County and State aforesaid, certify that RUSSELL R. POPE, an unremarried widower 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 20 day of OCTOBER, 2003.

My Commission Expires: 07/28/2006

Dennae S Kuhne
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 _____, _____.

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 _____, _____.

My Commission Expires:_____

_____
Notary Public

The foregoing Certificate(s) of Dennae S Kuhne 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.

Linda A Cansler Register of Deeds for Transylvania County

By: Deputy/Assistant - Register of Deeds

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EXHIBIT "A"

BEGINNING at an iron pin located in the North margin of Chicadee Lane (SR 1193) which iron pin is also the southeastern terminus at its intersection with Chicadee Lane of the Illahee Hills Subdivision Park as recorded and described in Deed Book 284, Page 012, Transylvania County Registry, thence with the park line, North 18 deg. 32 min. 04 sec. East 95.62 feet to a concrete monument; thence continuing with the Park line North 43 deg. 10 min. 09 sec. East 166.15 feet to an iron pin; thence continuing with the Park line South 56 deg. 00 min. 00 sec. East 149.99 feet to an iron pin; thence leaving the Park line and down and with the property now or formerly owned by Clayton as recorded in Deed Book 283, Page 659 Transylvania County Registry, South 30 deg. 50 min. 33 sec. West 276.27 feet to an iron pin located in the North margin of Chicadee Lane (SR 1193); thence down and the margin of Chicadee Lane North 34 deg. 19 min. 00 sec. West 104.84 feet to an iron pin; thence continuing along Chicadee Lane's North margin North 71 deg. 30 min. 11 sec. West 71.36 feet to the point and place of BEGINNING, containing 0.99 acres more or less as shown upon a survey map by Clarence A. Jenkins, RLS entitled "Property of Russell R. & Patricia J. Pope" dated May 18, 1994 and being Job Number: 94-110.

Being all of Lot 14, Section C of Illahee Hills Subdivision as shown on a plat recorded in Plat File 1, Slide 60, Transylvania County Registry.

Subject to restrictive and protective covenants and easements as recorded in Deed Book 217, Page 154, Transylvania County Registry.