

Prepared by and return to:  
Stephen L. Barden, III

REGISTERED

'91 AUG 22 P4:54

OP 16

NORTH CAROLINA  
BUNCOMBE COUNTY

EASEMENT AND  
QUITCLAIM DEED

THIS EASEMENT AND QUITCLAIM DEED made and entered into this 22nd day of August, 1991 by and between OWEN AND SNUFFER PARTNERSHIP (hereinafter referred to as "the Partnership") by JESSE P. OWEN and CARLYLE E. SNUFFER, General Partners, and RUFUS REFEARN and wife, MOLLY R. REDFEARN; HARRY W. GANDY, unmarried; SUSAN HARRISON and husband, TOM CLARK; FRANK HARRISON, JR. and wife, MARIA DEL CARMEN CASTILLO HARRISON; and JAMES HARRISON, unmarried (hereinafter referred to as "Redfearns"), and MICRO-INVESTMENTS, INC. (hereinafter referred to as "Mortgagee");

W I T N E S S E T H:

THAT WHEREAS, the Partnership purchased a certain 735.83-acre tract in Broad River Township by deed recorded in the Buncombe County Registry of Deeds in Deed Book 1620, Page 500 and described in a plat recorded in said Registry in Plat Book 58 at Page 34; and

WHEREAS, the Redfearns own certain property located immediately to the South of the said property of the Partnership and is described in a deed recorded in said Registry in Deed Book 1108, Page 7; and

WHEREAS, there is a question as to the ownership of certain property in the Northwestern corner of said Redfearn property as described in the Redfearns' said deed which encroaches onto to the said Partnership tract; and

WHEREAS, the Redfearns desire the use of a certain right-of-way which runs along a portion of the Southern boundary line of the Partnership property; and

WHEREAS, the Mortgagee is the holder of a Deed of Trust on the said Partnership property and desires to join in for the purposes of consenting to the conveyance of such Easement;

NOW, THEREFORE, in consideration of the mutual conveyances contained herein, the undersigned hereby grant, convey, and agree as follows:

EX 1663PG036

1. The Redfearns do hereby grant, bargain, sell and convey unto the Partnership in fee simple all that property within the said 735.83-acre tract as described in said Registry in Deed Book 1620, Page 500 and Plat Book 58 at Page 34, including all that property located North or Northwest of the following line:

BEGINNING at the Northeastern edge of N.C. Highway #9 at point L19 as shown on said plat; thence North 39 deg. 27 min. 28 sec. East 542.71 feet to an iron pin; thence North 84 deg. 47 min. 42 sec. East 291.50 feet to an iron pin.

2. The Partnership and Mortgagee hereby grant and convey to the Redfearns, their heirs and assigns, and the Redfearns, their heirs and assigns, hereby grant to the Partnership a perpetual, non-exclusive right-of-way for ingress, egress and utilities 60 feet in width running from N.C. Highway 9 in a northeasterly, then southeasterly direction as shown and fully described on a plat of the Owen and Snuffer Partnership recorded in the Buncombe County Registry of Deeds in Plat Book 58, at Page 70, reference to which is hereby made for a more particular description.

3. Rights to the use of this right-of-way may be assigned by the Partnership to existing and future owners of portions of said tract, and by the Redfearns to future owners of portions of their said tract under the conditions of Paragraph 4 below.

4. It is understood and agreed by the Redfearns for themselves, their successors, heirs and assigns, that should the Redfearn tract be subdivided and more than one family commence usage of the above Easement, that such additional family or families shall be obligated to pay a pro-rata share of the necessary road maintenance expenses on the portion of such road used by such additional family or families.

TO HAVE AND TO HOLD the aforesaid land and easement and all privileges and appurtenances thereto belonging unto the respective grantees in fee simple.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, or corporate, have 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.

BK 1663 PG 037

OWEN AND SNUFFER PARTNERSHIP

By: Jesse P. Owen (SEAL)  
JESSE P. OWEN, General Partner

By: Carlisle E. Snuffer (SEAL)  
CARLISLE E. SNUFFER, General Partner

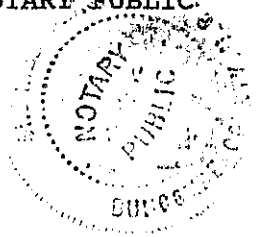
STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, a Notary Public of the County and State aforesaid, certify that JESSE P. OWEN, General Partner of OWEN AND SNUFFER PARTNERSHIP, a North Carolina General Partnership, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 21 day of June, 1991.

My commission expires: 8-11-93

Sheree Glass  
NOTARY PUBLIC



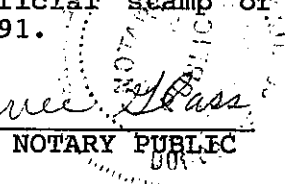
STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, a Notary Public of the County and State aforesaid, certify that CARLISLE E. SNUFFER, General Partner of OWEN AND SNUFFER PARTNERSHIP, a North Carolina General Partnership, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 24 day of June, 1991.

My commission expires: 8-11-93

Sheree Glass  
NOTARY PUBLIC



BK 1663PG038

*Rufus Redfearn* (SEAL)  
RUFUS REDFEARN

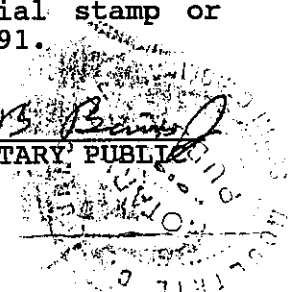
*Molly R. Redfearn* (SEAL)  
MOLLY R. REDFEARN

STATE OF South Carolina  
COUNTY OF Kershaw

I, a Notary Public of the County and State aforesaid, certify that RUFUS REDFEARN and wife, MOLLY R. REDFEARN, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 9<sup>th</sup> day of August, 1991.

My commission expires: 4-21-93

*Moulton B. Beaman*  
NOTARY PUBLIC



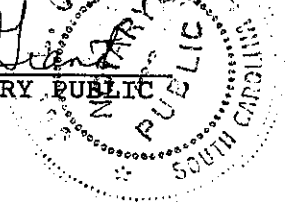
BK 1663 PG 039

*Harry W. Gandy* (SEAL)  
HARRY W. GANDY, unmarried

STATE OF South Carolina  
COUNTY OF Richland

I, a Notary Public of the County and State aforesaid, certify that HARRY W. GANDY, unmarried, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 19th day of July, 1991.

My commission expires: 9-3-96

*Jay L. Hunt*  
NOTARY PUBLIC  


EX 1663 PG 040

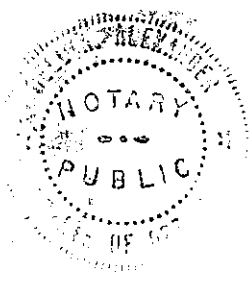
Susan Claire Harrison (SEAL)  
SUSAN CLAIRE HARRISON, also known as  
SUSAN HARRISON

Thomas F. Clark (SEAL)  
THOMAS F. CLARK, also known as  
TOM CLARK

STATE OF OREGON            )  
                                  )        ss.  
County of Linn            )

I, a Notary Public of the County and State aforesaid, certify that SUSAN CLAIRE HARRISON, also known as SUSAN HARRISON, and husband, THOMAS F. CLARK, also known as TOM CLARK, personally appeared before me this day and acknowledged the execution of the foregoing instrument. witness my hand and official stamp or seal, this the 8<sup>th</sup> day of August, 1991.

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 04/16/94



1663PG041

Frank Harrison Jr. (SEAL)  
FRANK HARRISON, JR.

Maria del Mar Castillo Harrison (SEAL)  
MARIA DEL MAR CASTILLO HARRISON

STATE OF Texas

COUNTY OF Tarrant

I, a Notary Public of the County and State aforesaid, certify that FRANK HARRISON, JR. and wife, MARIA DEL MAR CASTILLO HARRISON, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 8th day of August, 1991.

My commission expires: Aug. 29, 1993 Suzanne Peschke  
NOTARY PUBLIC

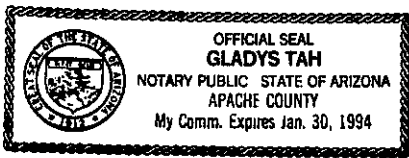


BK 1663PG042

James Harrison (SEAL)  
JAMES HARRISON, also known as JAMES  
REDFEARN HARRISON

STATE OF ARIZONA            )  
  )    ss.  
County of Apache            )

I, a Notary Public of the County and State aforesaid, certify that JAMES HARRISON, also known as JAMES REDFEARN HARRISON, an unmarried person, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 19<sup>th</sup> day of August, 1991.



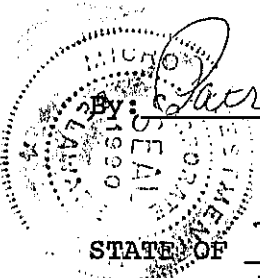
Gladys Tah  
NOTARY PUBLIC FOR ARIZONA  
My Commission Expires: Jan. 30, 1994



BK 1663 PG 043

ATTEST:

MICRO INVESTMENTS, INC.



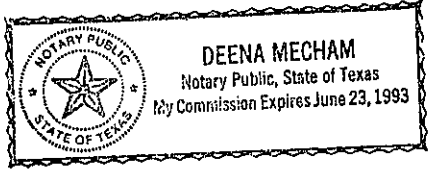
By: Patricia C. Peck  
Secretary

By: [Signature] (SEAL)  
President

STATE OF Texas  
COUNTY OF Travis

I, a Notary Public of the County and State aforesaid, certify that PATRICIA C. PECK personally came before me this day and acknowledged that she is Secretary of MICRO INVESTMENTS, INC., a Delaware 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 a corporate seal and attested by her as its Secretary. Witness my hand and official stamp or seal, this 24 day of JUNE, 1991.

My commission expires: June 23, 93 Deena Mecham  
NOTARY PUBLIC



State of North Carolina, County of Buncombe

Sherree Glass, Moultrie B. Burns, Jr.,

Each of the foregoing certificates, namely of Joy L. Grant, Dell A. Alexander, Suzanne Peschke, Gladys Tah, Deena Mecham

a notary or Notaries public of the State and County designated is certified to be correct.  
This 22 day of August, 19 91

OTTO W. DeBRUHL  
Register of Deeds, Buncombe County

By: Sharon C. Taylor Deputy

Filed for registration on the 22 day of August, 19 91 at 4:54 P.M.

OTTO W. DeBRUHL  
Register of Deeds, Buncombe County

By: Sharon C. Taylor Deputy

BR 1663PE044

