

This document presented and filed:
08/20/2013 02:19:06 PM

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NEDRA W. MOLES, Henderson COUNTY, NC
Transfer Tax: \$800.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$800.00

Parcel Identifier No. _____ Verified by _____ County on the ____ day of _____, 20____
By: _____

→ Mail/Box to: The Lyda Law Firm – 308 Martin Luther King Jr. Blvd., Hendersonville, NC 28792

This instrument was prepared by: JACK A. LYDA

Brief description for the Index: 9 Tracts – 149 Acres +/- Little Creek Road

THIS DEED made this 20th day of August, 2013, by and between

| GRANTOR | GRANTEE |
|---|---|
| <p>GARY W. FIRMENDER And wife, LISA FIRMENDER</p> <p>Address: P.O. Box 308 Isle of Palms SC 29451</p> | <p>DAVID EVERETTE SANDERS And wife, ELIZABETH S. SANDERS</p> <p>Address: P.O. Box 89 Barnwell, SC 29812</p> |

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 Edneyville Township, Henderson County, North Carolina and more particularly described as follows:

BEING ALL of that property described on the Exhibit "A" attached hereto.

The property being transferred by this Deed does _____ or does not X include the primary residence of either Grantor. (Per N.C.G.S. §105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____, Page _____, Henderson County, North Carolina Register of Deeds Office.

A map showing the above described property is recorded in Plat Slide _____, Henderson County, North Carolina Register of Deeds Office.

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:

Henderson County ad valorem taxes for 2014, and subsequent years, which are a lien, but not yet due and payable, easements, rights of way and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)

Gary W. Firmender by
Lisa Firmender AIF (SEAL)
GARY W. FIRMENDER by and through his
AIF, LISA FIRMENDER

By: _____
Title:

Lisa Firmender (SEAL)
LISA FIRMENDER

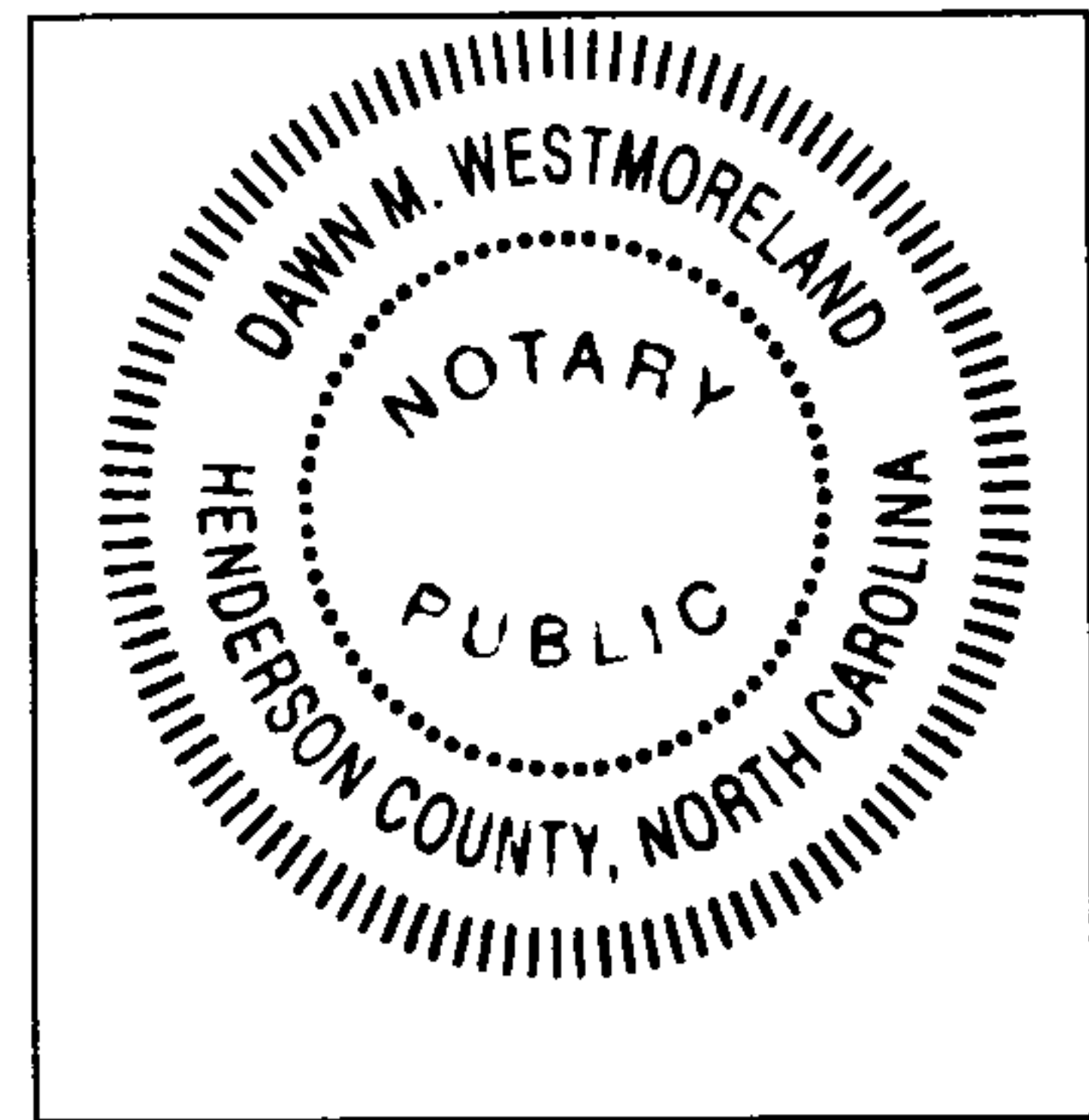
By: _____
Title:

(SEAL)

By: _____
Title:

(SEAL)

SEAL-STAMP



State of North Carolina – County of Henderson

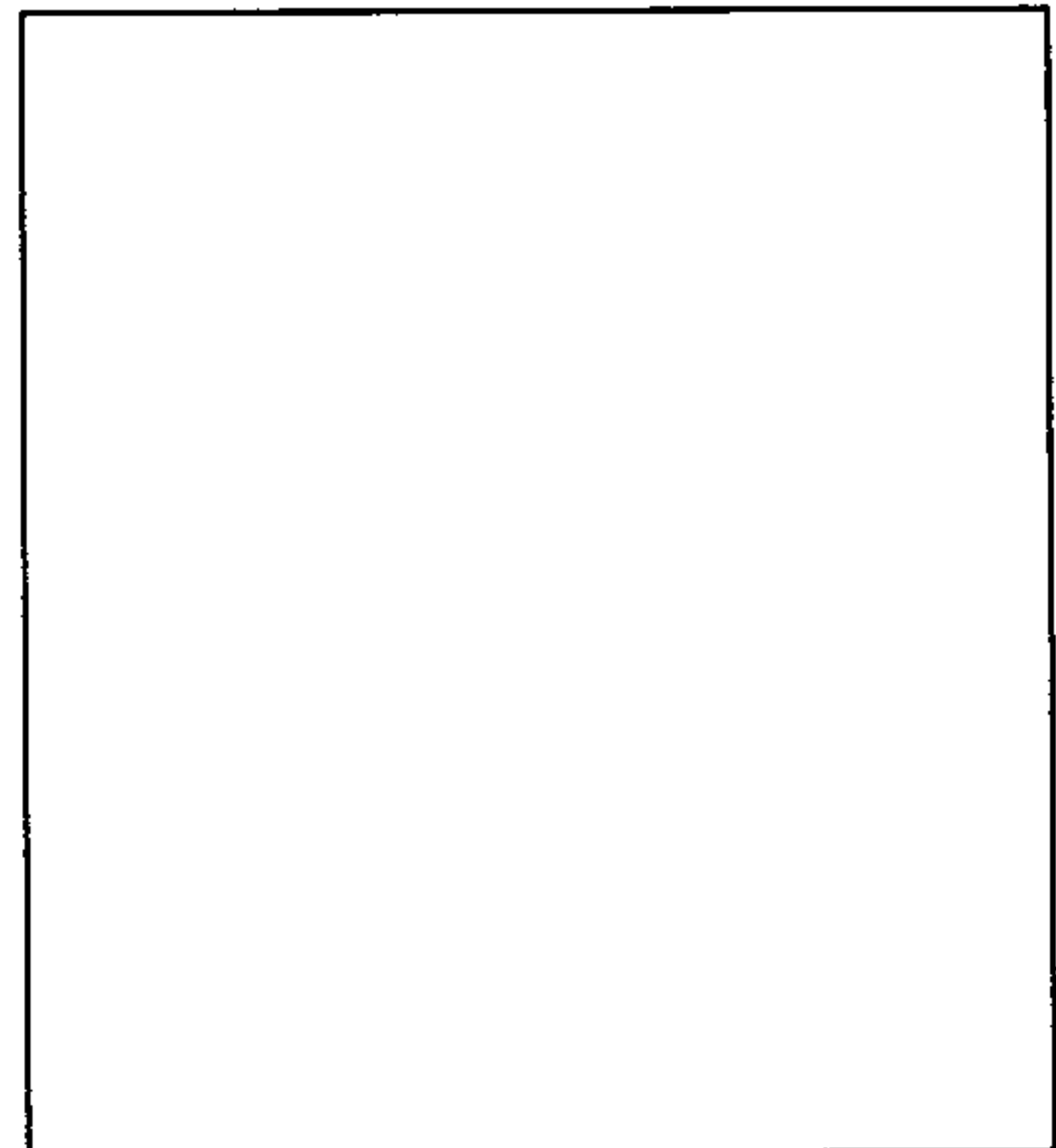
I, Dawn M. Westmoreland, the undersigned Notary Public of the County and State aforesaid, certify that **LISA FIRMENDER**, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 20th day of August, 2013.

My Commission Expires:
10/02/2016

Dawn M. Westmoreland
Notary Public

SEAL-STAMP



State of North Carolina - County of Henderson

I, Dawn M. Westmoreland, the undersigned Notary Public of the County and State aforesaid, certify that **LISA FIRMENDER**, Attorney in Fact for **GARY W. FIRMENDER**, personally appeared before me this day and being by me duly sworn, says that she executed the foregoing and annexed instrument for and on behalf of **GARY W. FIRMENDER**, and that her authority to execute and acknowledge this instrument is contained in an instrument duly executed, acknowledged and recorded in the office of the Register of Deeds in the County of Henderson, State of North Carolina, in Book 1544, Page 286 on the 19th day of August, 2013, and that this instrument was executed under and by virtue of the authority given by said instrument granting her power of attorney

I do further certify that the said **LISA FIRMENDER** acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said **GARY W. FIRMENDER**.

Witness my hand and Notarial stamp or seal this _____ day of August, 2013.

My Commission Expires:
10-2-2016

NOTARY PUBLIC

The foregoing Certificate(s) of _____ 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

TRACT ONE: BEING a parcel of property having 19.20 acres as shown on a plat dated 9-6-95 by Stacey K. Rhodes, RLS, Job #95-224, recorded in Plat Slide 2051, Henderson County Registry, reference to which is hereby made for a more complete description by metes and bounds.

The Grantor herein reserves the right to use the 30' right-of-way herein conveyed.

There is also conveyed the right of ingress, egress and regress across that right of way as described in Deed Book 589 at Page 135 to the Grantee, his heirs and assigns.

There is also reserved by the grantor, his heirs and assigns the right of ingress, egress and regress across the existing right of way as described in Deed Book 589, at Page 135 and Deed Book 598 at Page 169, Henderson County Registry.

BEING the same property as conveyed in a Deed from Otis Haynes and wife, Irene Haynes to Gary W. Firmender recorded December 1, 1995 in Book 884, Page 576 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:05-00787

TRACT TWO: BEING a parcel of property having 41.06 acres as shown on a plat dated 9-6-95 by Stacey K. Rhodes, RLS, Job #95-224, recorded in Plat Slide 2051, Henderson County Registry, reference to which is hereby made for a more complete description by metes and bounds.

The Grantor herein reserves the right to use the 30' right-of-way and the 45' right-of-way as shown on the above described plat to the remaining property conveyed in Deed Book 517, page 145, Henderson County Registry.

There is also conveyed herewith a right of way 45' and 30' in width across the remainder of the Grantor's property to Little Creek Road for the purpose of the right of ingress, egress and regress to the above described property.

BEING the same property as conveyed in a Deed from Patricia Redden and husband Ronnie Redden to Gary W. Firmender recorded December 1, 1995 in Book 884, Page 578 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:99-56547

TRACT THREE: BEING all of that property containing 28.01 acre more or less as shown on the plat of survey for Gary W. Firmender by Stacy Kent Rhodes dated September 18, 2002 and recorded in Plat Slide 5800 of the Henderson County Registry.

This tract is conveyed without any warranties whatsoever to that 0.43 acre more or less tract shown on the plat of survey for Gary W. Firmender by Stacy Kent Rhodes dated September 18, 2002 and recorded in Plat Slide 5800 of the Henderson County Registry.

SUBJECT to those restrictions and rights of way affecting the subject property as appear in Deed recorded December 22, 2005 in Book 1256, Page 679 and any others that appear by reference in the public records of Henderson County, North Carolina.

BEING the same property as conveyed in a Deed from M. Eugene Still, Jr. Trustee of te William Williams Purcell, Jr. Marital Trust as set forth in the Will of William Williams Purcell, Jr. and M. Eugene Still Jr. Trustee of Trust B as set forth in the Will of William Williams Purcell, Jr. to Gary W. Firmender recorded December 22, 2005 in Book 1256, Page 679 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:10-02902 & 05-02158

TRACT FOUR: BEING all of that property shown as Parcel "A" containing 0.225 acres more or less and all of that property shown as Parcel B containing 3.923 acres more or less as shown on Plat of Survey for Gary W. Firmender by Stacy Kent Rhodes, dated February 8, 2005 and being Job No. 04-093 and is recorded in Plat Slide 5483 of the Henderson County Registry; reference to which is hereby made for a more particular description by metes and bounds.

The Grantor herein reserves the right for purposes of ingress, egress and regress and utilities over the road shown as "ROAD BED" and the property to the East and South of the road bed for the benefit of Grantors' remaining property.

SUBJECT to those restrictions and rights of way affecting the subject property as appear in Deed and any amendments that appear by reference in the public records of Henderson County, North Carolina.

BEING the same property as conveyed in a Deed from Otis Haynes and wife, Irene Haynes to Gary W. Firmender recorded May 13, 2005 in Book 1227, Page 178 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:10-00847 & 10-00848

TRACT FIVE: BEING all of that property as shown as Tract 2 containing 25.88 acres more or less as shown on the plat Slide 2466 of the Henderson County Registry; reference to which is hereby made for a more complete and accurate description by metes and bounds.

SUBJECT to the right of way for Homer's Lane and Little Creek Road as they extend their full and legal width.

BEING the same property as conveyed in a Deed from Patricia Redden and husband Ronnie Redden to Gary W. Firmender recorded October 13, 1997 in Book 935, Page 732 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:99-60437

TRACT SIX: BEING all of that property having 25.65 acres more or less as shown in Deed from William W. Purcell, Jr. and wife, Dorothy Purcell to Gary W. Firmender recorded January 15, 1999 in Book 976, Page 178 in the Henderson County, North Carolina Register of Deeds Office and as shown on an unrecorded plat prepared by William Patterson, RLS, Job #94-04-16-C; reference to which is hereby made for a more complete description by metes and bounds.

THERE is also conveyed herewith to the party of the second part, his heirs and assigns, a right of way in, to and over that roadway leading from the public road to the 60-foot right of way described in Deed Book 976, Page 178 in the Henderson County Registry and along said 60-foot right of way as the same runs through and along the existing roadbed of the same. Said right of way being 60-feet in width and measured 15-feet on either side of the said 60-foot right of way.

SUBJECT to the rights of the parties of the first part, their heirs and assigns and others to whom the parties of the first part or either one of them may have heretofore conveyed a right of way and to others to whom the parties of the first part or either of them may hereafter convey rights of way over said 60-foot right of way. The parties using said right of way shall pay their proportionate share of the maintenance and upkeep of said right of way as their use bears to the total number of parties using the same.

BEING the same property as conveyed in a Deed from William W. Purcell, Jr. and wife, Dorothy Purcell to Gary W. Firmender recorded January 15, 1999 in Book 976, Page 178 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:99-63024

TRACT SEVEN: BEING all that property containing 3.04 acres more or less and as shown as Tract One and all of that property containing 8.32 acres more or less and shown as Tract Two in Deed from Charles D. Alexander and wife, Mary V. Alexander to Gary W. Firmender recorded September 12, 2001 in Book 1074, Page 489 in the Henderson County, North Carolina Register of Deeds Office; reference to which is hereby made for a more complete description by metes and bounds.

THERE is conveyed herewith a non-exclusive right of way from North Carolina Public Road 1706 (being an off shoot of the Sugar Loaf Road) to the property owned by D. F. Dalton and recorded in Deed Book 245, Page 461, Henderson County Registry. This right of way shall be over the present existing road and shall be for the use of ingress and egress by George McMillan and wife, Jonce O. Clow, Widow and Home Conner and wife, their heirs and assigns, whether one or more. The width of this right of way shall be 15 feet on either side of the center line of the road as it now exists.

SUBJECT to those restrictions and rights of way affecting the subject property as appear in Book 572, Page 549, Book 574, Page 543 and in Book 1074, Page 489 and any others that appear by reference in the public records of Henderson County, North Carolina.

THERE is reserved to the parties of the first part, their heirs and assigns a right of way in, to and over said 60 foot right of way as the same runs along the center line and margin of the property described in Book 1074, Page 489, Henderson County Registry. The party using said right of way shall pay their proportion of the maintenance and upkeep of the same as their use bears to the total number of parties using the same.

BEING the same property as conveyed in a Deed from Charles D. Alexander and wife, Mary V. Alexander to Gary W. Firmender September 12, 2001 in Book 1074, Page 489 in the Henderson County, North Carolina Register of Deeds Office.

Pin#:05-00013

Title Insurance: Investors