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Recorded: 01/20/2011 at 03:40:05 PM
Fee Amt: \$1,425.00 Page 1 of 3
Revenue Tax: \$1,400.00
Workflow# 0000049327-0001
Buncombe County, NC
Otto W. DeBruhl Register of Deeds

BK **4855** PG **1217-1219**

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$1,400.00 Parcel Identification No.: _____

Prepared By: Peter U. Kanipe – Kanipe Law Firm, PLLC (No Title Work Performed)

After Recording, Return To: Best & Best, PLLC (10-0447) (Box #24)
138 Charlotte St., Ste. 200, Asheville, NC 28801

Brief Description for Index: _____

THIS DEED, made this 19th day of January, 2011, by and between:

GRANTOR	GRANTEE
HOMETRUST BANK, a federally chartered bank P.O. Box 10 Asheville, NC 28802	MARY LORETTA'S, LLC 44 Eola Avenue Asheville, NC 28806

The designations Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter genders as required by context.

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Buncombe County, North Carolina, and more particularly described as follows:

See the attached Exhibit A, which is incorporated herein by reference.

2

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 4775, Page 410.

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

The above-described property is not the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with 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, and under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

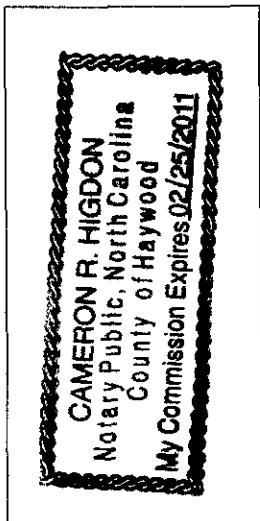
Easements, covenants, conditions and restrictions of record; 2011 ad valorem taxes, not yet due and payable; and utilities physically located on the property.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its corporate name by its duly authorized officer by authority of its Board of Directors, the day and year first above written.

HOMETRUST BANK

By: *Charles I. Abbitt, Jr.*
Charles I. Abbitt, Jr.
Senior Vice President

SEAL-STAMP
(Place seal-stamp
within box)



STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

I, a Notary Public in and for the County of Haywood and State of North Carolina, do hereby certify that CHARLES I. ABBITT, JR., personally appeared before me this day and acknowledged that he is a Senior Vice President of HomeTrust Bank and acknowledged, on behalf of HomeTrust Bank, Grantor, the due execution of the foregoing instrument.

Witness my hand and official seal this the 19th day of January, 2011.

Cameron R. Higdon
Cameron R. Higdon Notary Public
(Notary to Print Name Here)
My commission expires: 02/25/2011

EXHIBIT A

BEGINNING at a stake in the western margin of Broadway, said stake being located 41 deg. 40' East 127 feet distant from a point where the southern margin of Lexington Avenue intersects with the western margin of Broadway; and runs thence along and with a party wall South 57 deg. 56' West 88.47 feet to a stake in the eastern margin of Lexington Avenue; thence along and with the said margin of Lexington Avenue South 17 deg. 37' East 25 feet to a stake in said margin of said Lexington Avenue; thence along and with a party wall North 58 deg. 11' East 98.88 feet to a stake in the Western margin of Broadway; thence along and with the said margin of Broadway North 41 deg. 40' West 25 feet to the point of BEGINNING. Being the same property conveyed to James V. Rees (now deceased) and wife, Dorothy F. Rees, by Deed dated August 27, 1946, and recorded in the Office of the Register of Deeds for Buncombe County, NC in Deed Book 620, at Page 52, and also described in subsequent deed from James V. Rees to Dorothy F. Rees, recorded in said Register's Office in Deed Book 649, at Page 375.

This Deed is made subject to existing party walls and party walls agreement recorded in said Register's Office, in Deed Book 208, at Page 78, and Deed Book 215, at page 537, and all restrictions of record in Deed Book 1028, at page 392, Buncombe County Registry.

The above-described Parcel Nine is the same property conveyed from Dorothy F. Rees, Widow, to Harold A. Talbert, Jr., in Deed Book 1028, at Page 392, of the Buncombe County registry.