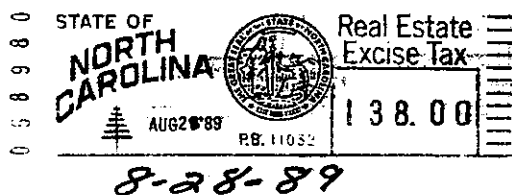


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REGISTERED

'89 AUG 28 A11:41

Excise Tax \$138.00

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to JEFF DUNHAM / VAN WINKLE, BUCK, WALL, STARNES AND DAVIS, P.A.
P. O. BOX 7376, ASHEVILLE, NORTH CAROLINA 28802

This instrument was prepared by JEFF DUNHAM / VAN WINKLE, BUCK, WALL, STARNES AND DAVIS, P.A.

Brief description for the Index WARD 25, SHEET 12, LOT 365

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 28th day of August, 1989, by and between

GRANTOR

GRANTEE

MICHAEL J. TAVENER (UNMARRIED) and
DIANE TAVENER and husband DAVID S. BURLINGAME

DAVID L. COLBERT and wife,
JUNE BERGERON COLBERT

718 Old U.S. 70
Black Mountain, N.C.
28711

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 _____, BLACK MOUNTAIN Township, BUNCOMBE County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF AS IF SET FORTH HEREIN VERBATIM.

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EXHIBIT A

BEGINNING at a point marking the northwesternmost corner of the property described as Tract 3 in Deed recorded in Deed Book 1159, at Page 725, of the Buncombe County, North Carolina Register's Office, said point also marking the southwesternmost corner of the W. W. Lynch property as shown on Plat recorded in Plat Book 198, at Page 20, as further described in Deed Book 1221, at Page 210, of the Buncombe County, North Carolina Register's Office; and runs thence from said established BEGINNING POINT South 85° 53' East 211.14 feet to a point in the eastern margin of Laurel Street (unopened); thence with the eastern margin of said Laurel Street (unopened) and with a fence line South 02° 30' West 163.96 feet to a point; thence continuing with said fence line South 01° 58' East 432.6 feet to an iron pin near the northern margin of the paving of Old U.S. Highway 70; thence along and with the northern margin of the paving of Old U.S. Highway 70 South 84° 27' West 181.5 feet to a point marking the southeast corner of the R. Abernathy property as described in Deed Book 655, at Page 261, of the Buncombe County, North Carolina Register's Office; thence along and with the eastern boundary line of the said Abernathy property North 01° 14' East 214.66 feet to an iron pin at a fence corner, said iron pin marking the northeast corner of the said Abernathy property and the southeast corner of the D. L. Buchanan property described in Deed Book 1159, at Page 725, of the Buncombe County, North Carolina Register's Office; thence along and with a fence line and with the eastern boundary line of the D. L. Buchanan property North 24° 43' 15" West 222.36 feet to an iron pin at a fence corner, said iron pin marking the northeast corner of the D. L. Buchanan property; thence with a fence line North 77° 56' East 100 feet to another fence corner, said fence corner marking the southeast corner of that property described as Tract 4 in Deed recorded in Deed Book 1159, at Page 725, of the Buncombe County, North Carolina Register's Office; thence with a fence line and with the eastern boundary line of the said property described as Tracts 3 and 4 in Deed Book 1159, at Page 725, of the Buncombe County, North Carolina Register's Office North 13° 48' West 197.05 feet to the point of BEGINNING, and being the property as shown on survey by J. Glenn Haynes, R.L.S., entitled "David L. Colbert and wife, June Bergeron Colbert", dated August 22, 1989, reference to said survey being made in aid of description.

The above-described property is the same property conveyed to Michael J. Tavener and wife, Diane Tavener by Deed recorded in Deed Book 1242, at Page 715, of the Buncombe County, North Carolina Register's Office.

The above-described property is conveyed together with and subject to the benefits and burdens of the joint right to use a fifteen (15) foot wide road right of way leading from Old U.S. Highway 70, which fifteen (15) foot wide road right of way is described in Deed Book 1242, at Page 715, of the Buncombe County, North Carolina Register's Office.

The above-described property is conveyed subject to easements, restrictions and rights of way of record and the warranties herein below shall not apply to the property being known as Lot 29, Block C, as located on the west side of Laurel Street as shown on plat of the Holman Christian University property recorded in Plat Book 198, at Page 20, of the Buncombe County, North Carolina Register's Office. Said Lot 29, Block C being included in the property as described above.

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The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 1242, Page 715, Buncombe County, N.C. Register's Office.

A map showing the above described property is recorded in Plat Book 198 page 20.

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 except for the exceptions hereinafter stated.

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

Easements, restrictions and rights of way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has 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.

(Corporate Name)

By:

President

ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

MICHAEL J. TAVENER (UNMARRIED)

DIANE TAVENER

DAVID S. BURLINGAME

SEAL-STAMP

NORTH CAROLINA, BUNCOMBE County.

I, a Notary Public of the County and State aforesaid, certify that MICHAEL J. TAVENER (UNMARRIED) and DIANE TAVENER and husband DAVID S. BURLINGAME Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 28th day of August, 1989.

My commission expires: October 1, 1992 Kathryn W. Ferrante Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that he is Secretary of

a North Carolina 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 its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of, 19.

My commission expires: Notary Public

The foregoing Certificate(s) of Kathryn W. Ferrante

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.

Otto W. DeBruck REGISTER OF DEEDS FOR Buncombe COUNTY
By Helen C. Bonham Deputy/Assistant - Register of Deeds