



Doc ID: 025041480002 Type: CRP
 Recorded: 12/18/2012 at 03:52:41 PM
 Fee Amt: \$26.00 Page 1 of 2
 Revenue Tax: \$0.00
 Workflow# 0000144219-0001
 Buncombe County, NC
 Drew Reisinger Register of Deeds

BK **5051** PG **130-131**

There are no delinquent taxes that are a lien on the parcel(s) described in the deed which the Buncombe County Tax Collector is charged

with collecting
12-18-12
 Date

[Signature]
 Tax Collector Deputy

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$0

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

Mail/Box to: Patrick S. McCroskey, Gum, Hillier & McCroskey, PA, Buncombe County Register of Deeds box no. 17

This instrument was prepared by: Patrick S. McCroskey, Gum, Hillier & McCroskey, PA

Brief description for the Index: Lot 3, PB92, PG 141

THIS DEED made this _____ day of _____, 2012, by and between

GRANTOR

JAMES E. CHILDS

GRANTEE

JULIA H. BROOKE

**2236A US Highway 70
 Swannanoa, NC 28778**

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 Asheville, Buncombe County, North Carolina and more particularly described as follows:

BEING all of Lot 3 as laid down and shown on that plat recorded in Plat Book 92 at Page 141, Buncombe County Registry, reference to which is hereby made for purposes of a more particular description.

This conveyance is being made pursuant to the terms and provisions of a Equitable Distribution Consent Judgment entered into between Grantor and Grantee herein, under the terms of which the Grantor herein is releasing all right, title and interest in the above described real property to the Grantee pursuant to the terms and provisions of said Judgment and the provisions of N.C.G.S. § 50-20 *et seq.*

The purpose of this conveyance is to sever the tenancy by the entirety in the property described herein pursuant to G.S. 39-13.3(c), [or, in the alternative, to transfer ownership pursuant to G.S. 39-13.3(a)] and to vest sole title in the name of Grantee, and to allow Grantee to henceforth convey and encumber said property or any portion thereof without the consent or joinder of Grantor. Grantor hereby relinquishes: (1) All rights to administer the Grantee's estate as provided in G. S. 28A-4-1 with respect to the real property described herein; (2) All right of intestate succession to the Grantee's estate as provided in G.S. 29-14; (3) The right to an elective life estate in the Grantee's estate as provided in G.S. 29-30; (4) The right to dissent from Grantee's will as provided in G.S. 30-1; and (5) The right to a year's allowance in the Grantee's estate as provided in G.S. 30-15; (6) The right to an elective share of the Grantee's estate. It is the intention of the parties hereto that the property described herein shall be considered separate property of the Grantee pursuant to the Equitable Distribution Act (G.S. 50-20 ff.) and Grantor relinquishes all right or claim to said property provided in said Act.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3723 page 802-803 and in Book 4580 page 1850-1851.

All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 92 page 141.

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 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, under or through Grantor, other than the following exceptions:

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

By: _____ (Entity Name) James E. Childs (SEAL)
Print/Type Name: JAMES E. CHILDS

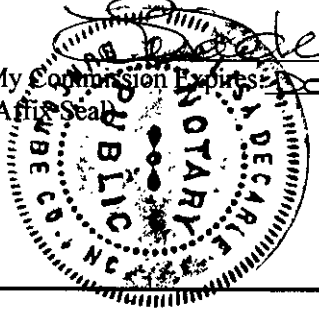
By: _____
Print/Type Name & Title: _____ James E. Childs (SEAL)
Print/Type Name: _____

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

State of North Carolina - County or City of Buncombe
I, the undersigned Notary Public of the County or City of Asheville and State aforesaid, certify that James E. Childs 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 19th day of November, 2012.

Lisa deCarke
My Commission Expires Dec 8, 2015
(Affix Seal)



Lisa deCarke Notary Public
Notary's Printed or Typed Name