

1408
0349

FILED
CHEROKEE COUNTY NC
DAPHNE DOCKERY
REGISTER OF DEEDS

FILED Mar 21, 2011
AT 08:21:22 am
BOOK 01408
START PAGE 0349
END PAGE 0351
INSTRUMENT # 01220
EXCISE TAX \$140.00

WARRANTY DEED

This instrument was prepared by Todd W. Davis of the law firm of Davis & Hallauer-fox. Title to the lands and/or interest in lands described herein is not certified unless a separate, written title opinion has been given to, or title insurance obtained for, the Grantees herein by said law firm.

Based upon information furnished by the Grantor(s) or their agents, the accuracy of which is not guaranteed by Davis & Hallauer-fox, the mailing address of the Grantors is as stated after their name, and the property described in this deed includes does not include, the primary residence of a Grantor.

DEED STAMPS: \$140.00

State of North Carolina
County Of Cherokee

Title File No. 08-261

This Indenture made this the 1st day of **March, 2011**, by and between:

JOSEPH W. LACKEY and wife, SARAH LACKEY
241 Blue Jay Lane
Marble, NC 28905

hereinafter called Grantors, and

JENNIFER LACKEY
943 Upper Peachtree Rd
Murphy, NC 28906

hereinafter called Grantees, (said designations shall include the respective parties, whether one or more, individual or corporate, and their respective successors in interest or assigns).

Witnesseth; That the Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees, their heirs and/or successors and assigns, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinafter stated, if any), the following particularly described real estate, located in Valletown Township, Cherokee County, North Carolina to-wit:

See Schedule "A" attached hereto and incorporated herein for reference.

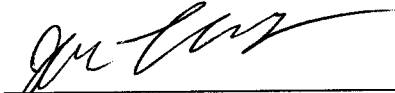
To Have and to Hold the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantees, their heirs and/or successors and assigns forever, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinabove stated, if any).

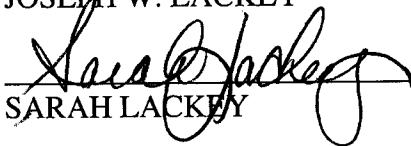
And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor.

5535 00 00 3982 000 DW



In Witness Whereof each 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.


_____(SEAL)
JOSEPH W. LACKEY

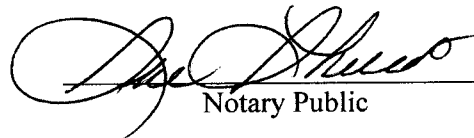

_____(SEAL)
SARAH LACKEY

State of North Carolina, County of Cherokee

I, a notary public for said county/parish and state, do hereby certify that JOSEPH W. LACKEY and wife, SARAH LACKEY, is personally known to me or who has/have produced _____ as identification and personally came before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal, this the 15 day of MARCH, 2011.

My commission expires June 10, 2013



Notary Public

(Notary Seal)
Sue Shields
Notary Public
Cherokee County, NC

SCHEDULE "A"

Being that certain tract or parcel of land containing 0.81 acres, more or less, in Valletown Township, District No. 7, Cherokee County, North Carolina, lying between the Old Peachtree-Marble Road and the New Peachtree-Marble Road, now or formerly, SR 1519, bounded on the South by Mansbridge (Deed Book 658, Page 48), on the West by the SR 1519 and on the East by the Old Peachtree-Marble Road, being more particularly described according to plat by Felix E. Palmer, R.L.S., dated March 25th, 1992, as follows:

BEGINNING at a point in the centerline of, now or formerly, NCSR 1519, Southwest corner of the lot being conveyed and Northwest corner of Mansbridge and runs thence a line common with Mansbridge S 82-54 E 123.57 feet to a point in or near the centerline of Old Peachtree-Marble Road; thence with the centerline of said Old Peachtree-Marble Road N 05-43 E, passing an iron rod at 163.28 feet, total distance 170.52 feet to a point in said centerline; thence S 74-28 E 20.31 feet to a point in the East boundary line of an access road; thence with the East boundary line of said road N 05-43 E 46.31 feet; thence with a left hand curve in said margin having an Arc of 59.23 feet, a Radius of 63.71 feet and a Chord bearing of N 20-55 W 57.12 feet to a point in said margin; thence N 02-33 E 20.61 feet to a pine; thence N 80-51 W 109.05 feet to a point in centerline of, now or formerly, NCSR 1519; thence with the centerline of, now or formerly, SR 1519 two (2) calls; S 07-02 W 100.62 feet and S 07-26 W 188.00 feet to the point and place of BEGINNING, containing 0.81 acres, more or less.

THIS CONVEYANCE IS SUBJECT TO that certain sixty (60) foot easement of, now or formerly, State Road 1519, thirty (30) feet on each side of said centerline.

ALSO HEREIN CONVEYED AND SUBJECT to that certain access road easement crossing the North portion of the hereindescribed lot, and also subject to the easement of Old Peachtree-Marble Road.

ALSO HEREIN CONVEYED AND SUBJECT is a non-exclusive perpetual right of way and easement to obtain water from the existing water system located on the adjoining lands of, now or formerly, Herbert Kent Newhouse in quantities sufficient for commercial purposes and particularly sufficient for the operation of the existing laundromat located on the above described property, together with the right and easement to go upon the lands of Herbert Kent Newhouse for the purposes of maintaining said water system and constructing any necessary replacement water lines, electric lines, spring or well house and installing any necessary pumps.

ALSO SUBJECT TO that certain deed of easement in favor of Nantahala Power and Light Company dated June 7th, 1984, as recorded in Deed Book 484, Page 71, records for Cherokee County, North Carolina.

ALSO SUBJECT TO that certain right of way and easement for a road utility thirty (30) feet in width as recorded in Deed Book 424, Page 96, records for Cherokee County, North Carolina.

ALSO SUBJECT TO that certain right of way and easement for N.C. Hwy 141 (formerly known as North Carolina State Road 1519).

ALSO SUBJECT TO any and all right of ways and easements of record.