

CU



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Recorded: 03/30/2009 at 04:17:34 PM
Fee Amt: \$20.00 Page 1 of 3
Excise Tax: \$0.00
Workflow# 2677275
Buncombe County, NC
Otto W. DeBruhl Register of Deeds
BK 4664 PG 1503-1505

\$0.00

Excise Tax

Recording Time Book & Page

Mail after recording to: **Cartner & Cartner Law Firm, PA**
7 Orchard St. • Asheville, NC 28801 • #100
Instrument prepared by: **Cartner & Cartner Law Firm, PA**
7 Orchard St. • Asheville, NC 28801
NO TITLE EXAMINATION PERFORMED
Parcel Identification No.: **Port. 9629.16-83-9251.000**
Brief Description: **815 Emma Rd. 28806**

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 30th day of **March, 2009**, by and between

GRANTOR	GRANTEE
THOMAS I. HANNER, Executor of the Estate of Leila Estel M. Hanner	THOMAS I. HANNER, TERRANCE EDWARD HANNER and HENRY D. HANNER, as Successor Co-Trustees of the Richard and Leila Hanner Family Trust dated October 1, 1991.
	Mailing Address: 435 Old Haw Creek Rd. Asheville, NC 28805

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

Legal Description Attached Hereto as Exhibit "A" & Incorporated Herein.

WHEREAS, it is within two years of the date of death of Leila Estel M. Hanner, who died February 13, 2007, in File 07E438, Buncombe County and whereas Thomas I. Hanner, qualified as Executor of the Estate of Leila Estel M. Hanner and this Court having found as fact that Thomas I. Hanner, Executor of the Estate of Leila Estel M. Hanner, has published the general notice to creditors as provided in G.S. 28A-14-1, and that said personal representative will join in this transaction, and that the time has expired in which the creditors may assert claims against the estate, and that this transaction will not prejudice the payment of any valid claim against the Estate.

EXHIBIT "A"

BEING ALL THAT CERTAIN lot or parcel of land situated in the City of Asheville, Buncombe County, North Carolina and being more particularly described as follows:

BEGINNING the Southernmost corner of the Leonard Smith Property as described in Deed Book 1133, Page 374 of the Buncombe County Registry, thence South 23 deg. 53 min. 00 sec. East 109.14 feet to an iron pin set; said iron pin set herein denominated the point and place of BEGINNING. Thence from said beginning point thus established North 61 deg. 33 min. 52 sec. East 251.32 feet to an iron pin set; thence South 16 deg. 55 min. 37 sec. East 173.49 feet to an iron pin set; thence South 45 deg. 09 min. 45 sec. West 202.07 feet to an iron pin set, said iron pin also being located in the Southernmost corner of the property herein described; thence North 39 deg. 55 min. 40 sec. West 147.32 feet to a point; thence North 23 deg. 53 min. 00 sec. West 82.96 feet to the POINT and PLACE OF BEGINNING. Containing 1.049 acres, more or less.

BEING A Portion of the property described in Deed Book 438, Page 490.

Property Address: 815 Emma Road; Portion of PIN: 9629.16-83-9251.000

THIS property is conveyed pursuant to Section Five to the will of Leila Mitchell Hanner into the Grantees as Trustees.

SAID Will is probated in Buncombe County under File No. 07E438.

GRANTEES acknowledge and accept this property as Trustee's of the Family Trust which is currently valid and existing.

SUBJECT TO a 30' right of way more particularly described as follows:

BEGINNING at the POINT OF BEGINNING of the above described property thence North 61 deg. 33 min. 52 sec. East 251.32 feet to an iron pin set, this is the Northern boundary line of the 30 foot right of way through the above described property; thence South 16 deg. 55 min. 37 sec. East 30.00 feet; thence South 61 deg. 33 min. 52 sec. West 251.32 feet to a point; thence North 23 deg. 53 min. 00 sec. West 30.00 feet to the point and place of BEGINNING.

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The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ at Page _____ of the _____ County Registry.

A map showing the above described property is recorded in Plat Book _____ at Page _____ of the _____ County Registry.

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, except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to easements, restrictions, rights-of-way of record, and the use provisions of any governmental ordinance affecting the property herein conveyed.

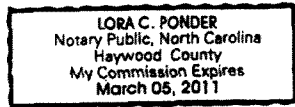
IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name) Thomas I. Hanner, Executor (SEAL)
THOMAS I. HANNER, Executor of the Estate of Leila Estel M. Hanner

By: _____
Title: **PRESIDENT** _____ (SEAL)

STATE OF North Carolina
COUNTY OF Person

I, Lora C. Ponder, a Notary Public in and for Haywood County and State aforesaid, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Thomas I. Hanner, Executor, Grantors.



DATE: _____
Lora C. Ponder
NOTARY PUBLIC
My Commission Expires: 3-5-11

The foregoing certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time in the Book and Page shown on the first page hereof.

_____ Register of Deeds for _____ County

By: _____ Deputy/Assistant-Register of Deeds