

CUT



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Recorded: 12/01/2005 at 02:58:49 PM
Fee Amt: \$297.00 Page 1 of 2
Excise Tax: \$280.00
Workflow# 1983688
Buncombe County, NC
Otto W. DeBruhl Register of Deeds
BK **4145** PG **1284-1285**

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 280

Parcel Identifier No. **PORTION 0618.00-45-4735** (base subdivision PIN)
Mail after recording to: **Susan S. Barbour, P.O. Box 3180, Asheville, NC 28802, Box 31**
This instrument was prepared by: **Susan S. Barbour, McGuire, Wood & Bisette, PA, file 33841.32**

Brief Description for the index

Lot 132, Phase 1, The Settings of Black Mountain

GRANTOR	GRANTEE
<p>THE SETTINGS OF BLACK MOUNTAIN, LLC, a Georgia limited liability company, by and through its attorney in fact and authorized agent, Linda D. Smith</p>	<p>GLENN P. SMITH AND WIFE, DEBORAH N. SMITH 11 Lincoln Road Kinneton, NJ 07405</p>

THIS DEED made this 10th day of ~~December~~ *November*, 2005, by and between

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 **Black Mountain Township, Buncombe County, North Carolina** and more particularly described as follows:

BEING all of **LOT 132, Phase 1**, as shown on plat of **THE SETTINGS OF BLACK MOUNTAIN**, recorded in Plat Book 96, at Page 163, said plat being one of a series of plats for Phase 1 recorded in Plat Book 96, at Pages 162 through 164 of the Buncombe County, NC Registry, reference to said plats being made for a more particular description of said Lot 132.

TOGETHER WITH AND SUBJECT TO all easements, restrictions and rights of ways of record and a non-exclusive appurtenant easement for ingress, egress and regress is conveyed over and upon all private subdivision right of way easements for The Settings of Black Mountain as shown on the above-described plats and to the Covenants, Conditions and Restrictions for The Settings of Black Mountain as recorded in Book 3993, at Page 34 of the Buncombe County, NC Registry (hereinafter "Declarations").

TOGETHER WITH AND SUBJECT TO all easements as described in Deed Book 3947, at Page 552 of said registry.

BEING a portion of that property conveyed to The Settings of Black Mountain, LLC, a Georgia limited liability company by deed recorded in Book 3947, Page 552 of the Buncombe County, NC Registry.

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The property hereinabove described was acquired by Grantor by instrument recorded in Book 3947, Page 552.

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 herein above described is subject to the following exceptions:

Easements, restrictions and rights of way of record, subdivision assessments and taxes not yet due and payable.

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.

THE SETTINGS OF BLACK MOUNTAIN, LLC, A Georgia limited liability Company

By: *Linda D. Smith*
Its Attorney-In-Fact and authorized agent,
Linda D. Smith

PLEASE DO NOT WRITE OR STAMP OUTSIDE THE BORDER

NORTH CAROLINA, BUNCOMBE, County.

I, Susan W. Mucci, a Notary Public of the County and State aforesaid, certify that, Linda D. Smith, attorney in fact and authorized agent for THE SETTINGS OF BLACK MOUNTAIN, LLC, a Georgia Limited Liability Company, personally appeared before me this day and being duly sworn, says that he executed the foregoing and annexed instrument for and in behalf of the said THE SETTINGS OF BLACK MOUNTAIN, LLC, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded on April 19, 2005 in the office of the Register of Deeds in the County of Buncombe, State of North Carolina, in Book 3988, at Page 267, and that this instrument was executed under and by virtue of the authority given by said instrument granting his power of attorney and agency.

I do further certify that the said Linda D. Smith acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said THE SETTINGS OF BLACK MOUNTAIN, LLC.

Witness my hand and official stamp or seal, this 10th day of November, 2005.

My commission expires: 8/12/08

Susan W. Mucci
NOTARY PUBLIC

NOTARY STAMP OR SEAL HERE:

