

**2015005942**

TRANSYLVANIA CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED

11-16-2015 02:55:02 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: D REE M. POWELL

DEPUTY REGISTER OF DEEDS

BK: DOC 746**PG: 772-775**

Excise Tax: \$0

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. 8586-86-2343-000
 Verified by County on the 16 day of NOV, 2015
 by SM

Mail after recording to: JEFFREY M. COOPER, COOPER LAW FIRM, P.C., PO Box 369, ARDEN, NC 28704

This instrument prepared by: JEFFREY M. COOPER, COOPER LAW FIRM, P.C.

Brief description for index: 160 Deerlake Road

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 23rd day of September, 2015 by and between**GRANTOR**

A. JAMES LYDAY, JR. and wife, KATHARINE H.
 LYDAY, residing at 160 Deerlake Road,
 Brevard, NC 28805.

GRANTEE

A. JAMES LYDAY, JR. and KATHARINE H.
 LYDAY, Trustees, or their successors in trust,
 under the JAMES AND KATHARINE LYDAY
 LIVING TRUST, dated June 12, 2015 and any
 amendments thereto, residing at 160 Deerlake
 Road, Brevard, 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 ten dollars (\$10.00) and other 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 Transylvania County, North Carolina and more particularly described as follows:

See attached "Exhibit A"

NO TITLE OPINION RENDERED.

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 the 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 and Restrictions 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.

(SEAL)

Katharine H. Lyday (SEAL)

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, a Notary Public of the County and State aforesaid, certify that A. James Lyday and Kit Lyday, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23rd day of September, 2015.

My Commission Expires: 11/07/16

Crystal A. Pace

Crystal A. Pace, Notary Public

(SEAL)

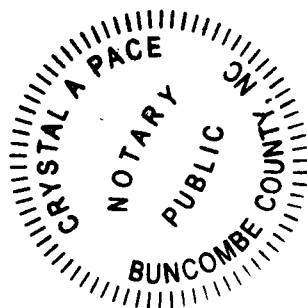


EXHIBIT A

Tract 1

BEGINNING on an iron pin on the North Bank of the road leading from C. M. Siniard's to Camp Carolina and in the old C. M. Siniard line, and runs with said line North 4 degrees East 130 feet to a stake; thence South 85 degrees East 90 feet to a stake; thence South 4 degrees West 120 feet to a stake in the North bank of the road; thence with the north margin of the road North 85 degrees West 90 feet to the Beginning. See deed from M. G. Garren and wife Hassie Tinsley Garren, to J. M. McConnell and wife, Eliza McConnell, dated August 12, 1933, recorded in the office of the Register of Deeds of Transylvania County in Book of Deeds 67, page 65.

Being the same property described by instrument recorded in Book 92 at Page 264, Transylvania County Registry, and conveyed to A. James Lyday, Jr. by the Last Will and Testament of Albert James Lyday, who died testate January 2, 2002. The decedent's Last Will and Testament, and conveyance of this property to A. James Lyday, Jr., can be found in the Office of the Clerk of Superior Court for Transylvania County, File Number 02-E-5.

Tract 2

All of that certain 0.476 acre tract of land shown on the plat of a survey prepared for A. James Lyday, Jr. by Clarence A. Jenkins, PLS, dated May 13, 2008, recorded in Plat File 12, Slide 706, records of Plats for Transylvania County in the office of the Register of Deeds for Transylvania County, North Carolina.

Being the same property described by instrument from A. James Lyday, Jr. and Katharine H. Lyday, husband and wife, and Sandra Lyday Reid to A. James Lyday, Jr. and Katharine H. Lyday, husband and wife, recorded in Book 462 at Page 333, Transylvania County Registry.

EXHIBIT A Continued

Tract 3

All of that 0.047 acre parcel of land identified as Tract B on the plat of the survey prepared for A. James Lyday, Jr. and Katharine Lyday by Clarence A. Jenkins dated March 31, 2010, and recorded in Plat File 14, Slide 79, Records of Plats for Transylvania County in the office of the Register of Deeds for Transylvania County, North Carolina.

The parcel conveyed shall be added to the tract already owned by Grantees for tax assessment purposes, identified as parcel number 8586-86-2343.

Being the same property described by instrument from Anne G. Flynn, to A. James Lyday, Jr. and Katharine H. Lyday, husband and wife, recorded in Book 535 at Page 103, Transylvania County Registry.

Tract 4

All of that 0.030 acre parcel of land identified as Tract A on the plat of the survey prepared for A. James Lyday, Jr. and Katharine Lyday by Clarence A. Jenkins dated March 31, 2010, and recorded in Plat File 14, Slide 79, Records of Plats for Transylvania County in the office of the Register of Deeds for Transylvania County, North Carolina.

The parcel conveyed shall be added to the tract already owned by Grantees for tax assessment purposes, identified by parcel number 8586-86-2343.

Being the same property described by instrument from A. James Lyday, Jr. and Katharine H. Lyday, husband and wife, and Sandra Lyday Reid, unmarried, to A. James Lyday, Jr. and Katharine H. Lyday, husband and wife, recorded in Book 535 at Page 594, Transylvania County Registry.