



2018004961

TRANSYLVANIA CO, NC FEE \$26.00  
STATE OF NC REAL ESTATE EXT  
\$676.00

PRESENTED & RECORDED:  
09-27-2018 01:40:18 PM

CINDY M OWNBEY  
REGISTER OF DEEDS  
BY: KARIN SMITH  
DEPUTY REGISTER OF DEEDS

BK: DOC 857  
PG: 278-281

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$676.00

Parcel Identifier No. \_\_\_\_\_ Verified by Transylvania County on the 27 day of Sept, 2018  
By: TG

Mail/Box to: RAMSEY & PRATT, PA, 35 N. Gaston Street, Brevard, NC 28712

This instrument was prepared by: GAYLE E. RAMSEY

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 16th day of September, 2018, by and between

GRANTOR	GRANTEE
MICHAEL N. BUMGARNER and wife, DEANNA H. BUMGARNER	JERED A MARBURGER and wife, KARLYE W. MARBURGER
200 Hickory Hollow Road Lake Toxaway, NC 28747	200 Hickory Hollow Road Lake Toxaway, NC 28747

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 N/A, Hogback Township, Transylvania County, North Carolina and more particularly described as follows:

BEING ALL OF THE SAME LAND DESCRIBED ON THE PAGE WHICH IS ATTACHED HERETO, DESIGNATED AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.

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

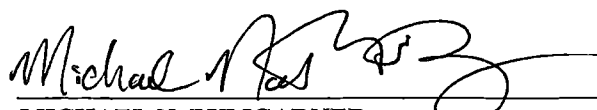
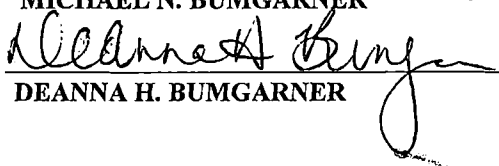
A map showing the above described property is recorded in Plat File   , Slide   .

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, other than the following exceptions:

- Exceptions and reservations contained in this deed and/or in instruments referenced herein.
- Easements and rights of way for public and private roads and utilities, of public record.
- Lien of ad valorem taxes for the current year and subsequent years, not yet due and payable.

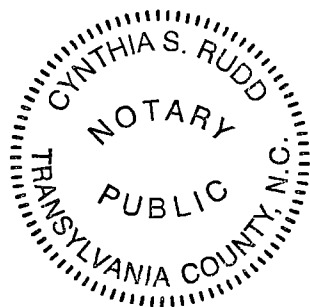
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

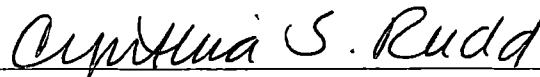
 (SEAL)  
 MICHAEL N. BUMGARNER  
 (SEAL)  
 DEANNA H. BUMGARNER

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA.

I 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: MICHAEL N. BUMGARNER and DEANNA H. BUMGARNER

WITNESS my hand and Notarial Seal, this the 26th day of September, 2018.



  
 Cynthia S. Rudd, Notary Public

My commission expires: 6/23/2020

## **EXHIBIT "A" TO A DEED FROM BUMGARNER TO MARBURGER**

### Tract I

Being all of Lot 14 of the Mountain High Subdivision as shown by a plat thereof recorded in Plat File 1, Slide 150, Records of Plats for Transylvania County, reference to which is hereby made for a more complete description of the property herein conveyed.

This conveyance is made subject to the following restrictions and conditions:

1. This property shall be used for residential purposes only and shall not be used for any type of commercial purpose.
2. No mobile homes, travel trailers or campers may be used as a dwelling on the property except that any of the above may be used as a temporary dwelling for a period of time not to exceed one year while a house is being constructed on the property.
3. The grantees by the acceptance and recording of this deed agree that they, their heirs and assigns, will pay to the developer the sum of Fifty Dollars (\$50.00) per year, beginning, January 1, 1981, for the maintenance of roads in the subdivision. It is agreed however, that when thirteen (13) lots have been sold by the developer, that the grantees (instead of paying the \$50.00 above set out) will pay to the developer or to such other person as may be designated by a majority of the lot owners in the subdivision a sum equal to four percent (4%) of the actual cost of maintaining the roads.

### Tract II

Being an undivided one-tenth (1/10) interest in the well located on Lot 12 of Mountain High Subdivision, together with the right to go upon said lot for the purpose of inspecting, maintaining and repairing the well and pump, said interest to be for the use of Lot 14 of Mountain High Subdivision.

This conveyance is made subject to the following obligations of the owners of Tract I hereinabove described:

1. To pay the sum of Twenty and No/100 Dollars (\$20.00) per year as long as Lot 14 shall be vacant and Forty and No/100 Dollars (\$40.00) per year once a dwelling is located thereon, said sum to be used for the purpose of operating and maintaining the well and pump. In addition the Grantee agrees that should the sum so paid be insufficient to cover the cost of operating and maintaining the well and pump, to pay one-tenth (1/10) of the additional cost for operation and maintenance.
2. That they, their heirs and assigns, shall become members of any property owners association formed for the purpose of operating and maintaining the well and shall be bound by such rules and regulations as shall be established by a majority of the members of said association.
3. To use a WEBXROL Model MX252 pressure tank or its equivalent for use in connection with the said well.

Being all of the same land described in a deed from Federal National Mortgage Association to Michael N. Bumgarner and wife, DeAnna H. Bumgarner (formerly know as DeAnna R. Huggins), dated June 20, 2012, and recorded in the office of the Register of Deeds for Transylvania County in Document Book 622, page 415.

R:\CINDY\Exhibits\EXHIBIT A DEED FROM BUMGARNER TO MARBURGER.wpd