

2005017473
 TRANSYLVANIA CO, NC FEE \$20.00
 STATE OF NC REAL ESTATE EXT
\$258.00
 PRESENTED & RECORDED:
 12-19-2005 04:44:32 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: BETH C SALES
 ASSISTANT
 BK: DOC 324
 PG: 409-411

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$258.00

Parcel Identifier No. _____ Verified by _____ County on the 19 day of November 2005
 By: _____ *RSYB*

Mail/Box to: ~~XXXXXXXXXXXX~~ Brian P. Philips, P.O. Box 432, Brevard, NC 28712

This instrument was prepared by: C.W. McKeller

Brief description for the Index: _____

THIS DEED made this 14 day of November, 2005, by and between

GRANTOR	GRANTEE
David Philip Zachary, a divorce man and Elsa Ramos Zachary, a divorce woman	Richard D. Buckley and wife, Carol J. Buckley 19 Indian Camp Mountain Road Rosman, NC 28772

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 _____, Catheys Creek Township, Transylvania County, North Carolina and more particularly described as follows:

See EXHIBIT "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book 209 page 155

A map showing the above described property is recorded in Plat Book _____ page _____

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 hereinabove described is subject to the following exceptions:

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.

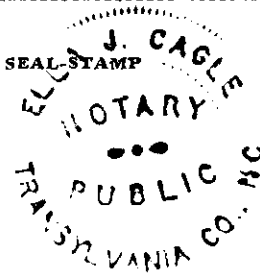
(Corporate Name)
By: -----

President
ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

David Philip Zachary ----- (SEAL)
David Philip Zachary
Elsa Ramos Zachary ----- (SEAL)
Elsa Ramos Zachary
----- (SEAL)
----- (SEAL)



NORTH CAROLINA, TRANSYLVANIA County.
I, a Notary Public of the County and State aforesaid, certify that DAVID PHILIP ZACHARY AND
ELSA RAMOS ZACHARY Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 21st day of NOVEMBER, 2005.
My commission expires: 3-4-06 *E. J. Cagle* Notary Public

Use Black Ink

SEAL-STAMP
NORTH CAROLINA, ----- County.
I, a Notary Public of the County and State aforesaid, certify that -----
personally came before me this day and acknowledged that ----- he is ----- Secretary of
----- a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its -----
President, sealed with its corporate seal and attested by ----- as its ----- Secretary.
Witness my hand and official stamp or seal, this ----- day of -----,
My commission expires: ----- Notary Public

The foregoing Certificate(s) of -----

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
----- REGISTER OF DEEDS FOR ----- COUNTY
By ----- Deputy/Assistant - Register of Deeds

EXHIBIT "A"

BEGINNING at a point in the center of Lochencove Ridge Road, common corner of Lots 3 and 4, and running with the center of Lochencove Ridge, North 65 deg. 11 min. East 99.94 feet to a point; thence still with the center of said road, North 67 deg. 4 min. East 50 feet to a point; thence departing from said road and with the line of Dr. Verne C. Hill, North 22 deg. 40 min. West 239.50 feet to an iron pipe; thence South 64 deg. 56 min. 20 sec. West 150.0 feet to an iron pipe; thence with the line of Lot 3, South 22 deg. 40 min. East 237.21 feet to the BEGINNING. Containing .818 acres, more or less, and being all of Lot 4 of the Stephen J. Gentry Subdivision as surveyed and platted by Robert E. Parker, RLS, January 29, 1977, and recorded in Plat File 1, Slide 85A, in the Office of the Register of Deeds for Transylvania County, reference to which is hereby made for a more complete description.

Also conveyed herewith is a right-of-way in, to and over Lochencove Ridge Road to the Grantees, their heirs and assigns, for purposes of ingress and egress to and from the above mentioned property. It is further understood and agreed that this property is to be used for residential purposes only, and that no mobile homes or trailers shall be placed on any portion of said property.

In addition, the Lot Owners agree to maintain that portion of said road abutting their property and agrees to keep the same in a passable and usable condition at all times; furthermore, the Lot Owners shall be responsible for the up-keep and maintenance of said road as a whole in an amount not exceeding that portion of which his lot abuts said road.

These covenants are to run with the land and shall be binding on the Grantees, their heirs and assigns.

The above described lot is conveyed subject to Restrictive Covenants found at Deed Book 209, Page 155 in the Office of the Register of Deeds for Transylvania County, North Carolina.