

**2020002394**

TRANSYLVANIA COUNTY NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED

05/15/2020 09:09:15 AM

**CINDY M OWNBEY**

REGISTER OF DEEDS

BY: D REE MCCALL

DEPUTY REGISTER OF DEEDS

**BK: DOC 920**

**PG: 578 - 580**

**NORTH CAROLINA DEED OF GIFT**

Excise Tax: \$ NO REVENUE

Parcel Identifier No. 8586-31-7980-000 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 By: \_\_\_\_\_

Mail/Box to: Eloise D. Bradshaw, Patrick, Harper & Dixon LLP, PO Box 218, Hickory, NC 28603

This instrument was prepared by: Eloise D. Bradshaw, Patrick, Harper & Dixon LLP, PO Box 218, Hickory, NC 28603

Brief description for the Index: 318 West Main Street, Brevard, NC 28712; PIN 8586-31-7980-000

THIS DEED made this 7<sup>th</sup> day of May, 2020, by and between

**GRANTOR**

**GRANTEE**

**Brian Edward O'Brien and wife,  
 Kathleen Ann O'Brien**

1715 Arlington Street  
 Sarasota, FL 34239

**Kathleen A. O'Brien, Trustee of the  
 Ninth Amendment and Restatement of the  
 Kathleen A. O'Brien Declaration of Trust  
 dated June 21, 2018**

1715 Arlington Street  
 Sarasota, FL 34239

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 Grantors, as a gift to the Grantee, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situate Brevard, Brevard Township, Transylvania County, North Carolina and more particularly described as follows:

Lying and being in the town of Brevard and more particularly described according to the plat thereof prepared by P. R. Raxter, RLS, and further described as follows:

BEGINNING in the center of a manhole on the northern margin of West Main Street, the same being in the western boundary of the right-of-way of the Southern Railroad Company, right-of-way and runs thence with the margin of West Main Street, North 59 deg. 46 min. West 77 feet to an iron pin, southeast corner of the property of John Whiteside (deceased) and wife, Winona Whiteside; thence leaving West Main Street

Submitted electronically by "Patrick Harper & Dixon L.L.P."  
 in compliance with North Carolina statutes governing recordable documents  
 and the terms of the submitter agreement with the Transylvania County Register of Deeds.

and running along the eastern boundary of the Whiteside property, North 29 deg. 50 min. 5 sec. East 144.5 feet to an iron pin; thence South 59 deg. 46 min. East 77 feet to a stake in the western margin of the right-of-way of the Southern Railroad Company; thence along the margin of said right-of-way, South 29 deg. 50 min. 5 sec. West 144.5 feet to the BEGINNING.

AND

Beginning at a concrete monument set, said concrete monument being located North 56 deg. 24 min. 13 sec. West 1601.18 feet from North Carolina Geodetic Survey Marker "Hallelujah", and runs thence South 88 deg. 04 min. 49 sec. West 35.63 feet to a nail set in a concrete monument found, said concrete monument being located North 57 deg. West 4.8 feet from the center of a manhole which is located on the north side of West Main Street, said concrete monument being the southeast corner of the Bagwell property as described in Deed Book 296, Page 577, Transylvania County Registry; thence with the line of said Bagwell property, North 30 deg. 47 min. 10 sec. East 144.5 feet to a one-half inch iron rod set, a common corner of the Allen property as described in Deed Book 188, Page 37, Transylvania County Registry and the Bagwell property; thence South 58 deg. 48 min. 55 sec. East 31.29 feet to a concrete monument set in the line of the Poole property, thence with the line of the said Poole property, South 31 deg. 23 min. 19 sec. West 125.04 feet to the BEGINNING. Containing 0.09 acres, more or less, as survey and platted by E. Roger Raxter, RLS, on January 16, 1989, and being a portion of the old right of way of the Transylvania Railway Company which was conveyed to the City of Brevard in Deed Book 246, Page 441, Transylvania County Registry.

The property hereinabove described was acquired by Grantors by instrument recorded in Book 814, Page 768, Transylvania County Registry.

**THE PREPARER OF THIS DEED DID NOT SEARCH OR CERTIFY TITLE.**

The property herein conveyed does not include the primary residence of Grantors.

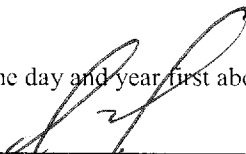
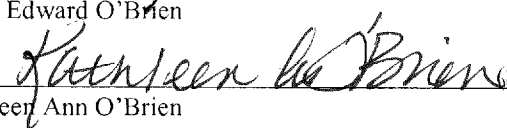
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantors covenant with the Grantee, that Grantors are seized of the premises in fee simple, have the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantors will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

All easements, exceptions, and rights-of-way of record.

Ad valorem taxes for 2020.

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

  
\_\_\_\_\_  
Brian Edward O'Brien (SEAL)  
  
\_\_\_\_\_  
Kathleen Ann O'Brien (SEAL)

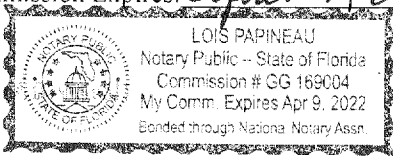
State of Florida

County of Sarasota

I, the undersigned Notary Public of the County and State aforesaid, certify that **Brian Edward O'Brien and wife, Kathleen Ann O'Brien** personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 7th day of May, 2020.

My Commission Expires: April 9, 2022



Lois Papineau  
Notary Public

Lois Papineau  
Notary's Printed or Typed Name