


2008006194


 TRANSYLVANIA CO, NC FEE \$20.00
 STATE OF NC REAL ESTATE EXTX
\$360.00
 PRESENTED & RECORDED:
 10-24-2008 04:06:00 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: KARIN SMITH
 DEPUTY REGISTER OF DEEDS
BK:DOC 476
PG:490-492

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$360.00

Parcel Identifier No. _____ Verified by Transylvania County on the 24 day of Oct, 2008
 By: _____ *om*

Mail/Box to: RAMSEY & PRATT, P.A., 35 North Gaston Street, Brevard, NC 28712

This instrument was prepared by: GAYLE E. RAMSEY

Brief description for the Index: _____

THIS DEED made this 23rd day of October, 2008, by and between

GRANTOR

SKY FALLS, LLC, a Florida
limited liability company

GRANTEE

RONALD A. McMURTRY, JR., and
wife, NELL L. McMURTRY

1002 Lake Cooper Drive
Lutz, FL 33548

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 n/a, Eastatoe 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.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

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, other than the following exceptions:

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

SKY FALLS, LLC (SEAL)
(Entity Name)
By: [Signature] (SEAL)
Title: C. Guy Batsel, Member-Manager
By: _____ (SEAL)
Title: _____
By: _____ (SEAL)
Title: _____

USE BLACK INK ONLY

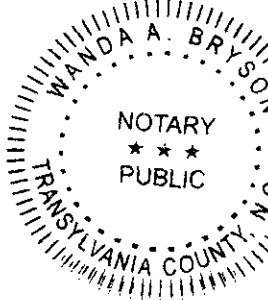
STATE OF NORTH CAROLINA

State of North Carolina - County of _____
I, the undersigned Notary Public of the County and State aforesaid, certify that _____ 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 _____ day of _____, 20__.

USE BLACK INK ONLY

STATE OF NORTH CAROLINA

State of North Carolina - County of Transylvania
I, the undersigned Notary Public of the County and State aforesaid, certify that C. GUY BATSEL personally came before me this day and acknowledged that he is the Member-Manager of Sky Falls, LLC a North Carolina or Florida corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of each entity, he signed the forgoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this 23rd day of October, 2008.



USE BLACK INK ONLY

STATE OF NORTH CAROLINA

State of North Carolina - County of _____
I, the undersigned Notary Public of the County and State aforesaid, certify that _____ Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.

USE BLACK INK ONLY

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" TO A DEED FROM SKY FALLS, LLC, TO McMURTRY

Being all of Lots 1 and 2 of Rock Creek Estates as shown on a plat thereof recorded in Plat File 12, Slide 841, Records of Plats for Transylvania County.

Together with a right-of-way to the public road over and along all subdivision roads which may be shown on the recorded plat hereinabove referred to and all other subdivision roads which may currently connect the lot hereinabove described with the public road and also over and along all road rights-of-way which the Grantor is currently entitled to use which connect the land hereinabove described with the public road.

This conveyance is made subject to all easements and other matters shown on the recorded plat hereinabove referred to and to the Declaration of Restrictive and Protective Covenants for Rock Creek Estates recorded in the office of the Register of Deeds for Transylvania County in Document Book 77, page 704. For the purpose of said declaration this deed shall also be deemed to constitute a supplemental declaration which submits the lots hereinabove described to the terms and conditions of said declaration.

It is specifically understood and agreed that the provisions of Section B of Article 19 of said declaration shall not be construed to reserve to the Grantor as Developer or to any other entity including Rock Creek Estates Property Owners Association, Inc., an easement over the existing gravel road bed shown on the recorded plat hereinabove referred to which extends from Lot 3 across Lots 2 and 1 as shown on said plat to Rock Creek Road, nor is it the intent of said covenants to reserve an easement for the Developer or Developer's successors, assigns or licensees, over any private driveway which may be constructed on a lot by its owner for such owner's private use and that the term "roads" as used in said subsection shall be deemed to refer to the dedicated 45 foot wide subdivision roads which are shown on plats recorded in the office of the Register of Deeds for Transylvania County which have been constructed by the Developer and dedicated for the common use of the owners of the lots in Rock Creek Estates in conformance with the requirements of the Transylvania County Subdivision Control Ordinance.

Being a part of the same land described in a deed from William G. Ligon to Sky Falls, LLC, dated July 27, 2001, and recorded in the office of the Register of Deeds for Transylvania County in Document Book 62, page 589.