

State of North Carolina
County of Transylvania

175 11

THIS DEED, made this 5th day of December, 1967, by and between Alexander Waite and wife, Hannah Jones Waite, hereinafter called Grantors, and Benjamin Moseley Waite and wife, Helen Valentine Waite, 910 Carolina Avenue, Winston-Salem, N. C., hereinafter called Grantees, (said designations shall include the respective parties, whether one or more, individual or corporate, and their respective successors in interest or assigns).

WITNESSETH; that the Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have given, granted, bargained, sold and conveyed, and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees, their heirs and/or successors and assigns, subject to any limitations, easements and reservations set out below, the following particularly described real estate, located in the Township of Little River ; Transylvania County, North Carolina, to-wit:

Being all of that portion of that certain tract of land described in that certain deed from Eagle's Nest Camp, Inc., to Hannah Jones Waite, dated January 5, 1961, and recorded in Book 131, page 365, Records of Deeds for Transylvania Co., lying south and southwest of a line described as follows:

BEGINNING on a stake, southwest corner of Lot described in deed from Alexander Waite and wife to Janie Jones Garnett, dated December 17, 1964, said stake standing S 38 deg. W 730 feet from the north corner of the Hannah Jones Waite 15-acre tract, which is a common corner of Alexander P. Thomas, McKelvin, Eagle's Nest Camp and Hannah Jones Waite, and runs thence with the southwest lines of the Garnett and Rabun M. Wood lots, S 52 deg. E to a stake in the line of property of Eagle's Nest Camp, Inc.

Being the same land described in the following deed:

Current taxes shall be

TO HAVE AND TO HOLD the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantees, their heirs and/or successors and assigns, forever, subject to any reservations, easements, and limitations set out above.

And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any and all encumbrances (with the exceptions above stated, if any), and that they will and their executors, administrators and/or successors shall forever warrant and defend the title to the said land and premises, with the appurtenances, unto the Grantees, their heirs and/or successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals, or, if corporate, has caused this Deed to be excuted by its duly authorized officers and its seal to be hereunto affixed, the day and year first above written.

_____(SEAL) Alexander Waite _____(SEAL)

_____(SEAL) Hannah Jones Waite _____(SEAL)

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA

I, Bertha Jean Lance, a Notary Public of said State and County, do hereby certify that Alexander Waite and Hannah Jones Waite, his wife,

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this 8th day of December, 1967

My commission expires April 11, 1968. Bertha Jean Lance, Notary Public

STATE OF _____, COUNTY OF _____

I, _____, Clerk Superior Court (Notary Public) of said State and County, do hereby certify that

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Let the instrument and this certificate be recorded.

WITNESS my hand and Official Seal, this _____ day of _____, 19____

My commission expires _____ (Notary Public)
_____(Clerk Superior Court)

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA.

The foregoing certificate... of Bertha Jean Lance,


Notar(y) ~~is~~ Public ~~is~~ certified to be correct. This instrument was presented for registration and recorded in this office in Book 175, page 11.

This 11th day of December, 1967, at 11:30 o'clock A. M.

Fred H. Israel
Register of Deeds

By: _____
Deputy Register of Deeds

2005017640


 TRANSYLVANIA CO, NC FEE \$20.00
NO TAXABLE CONSIDERATION
 PRESENTED & RECORDED:
 12-22-2005 02:30:54 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: D REE MCCALL
 DEPUTY REGISTER OF DEEDS
BK:DOC 325
PG:279-281

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. _____ Verified by _____ County on the 22 day of December, 2005
 By: _____

Mail/Box to: Ramsey & Pratt, P.A., One North Gaston Street, Brevard, NC 28712

This instrument was prepared by: GAYLE E. RAMSEY

Brief description for the Index: _____

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

GRANTOR	GRANTEE
BENJAMIN MOSELEY WAITE and wife, HELEN WAITE	EAGLE'S NEST FOUNDATION, a North Carolina non-profit corporation

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, Little River 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.

Benjamin Moseley Waite (SEAL)
BENJAMIN MOSELEY WAITE

Helen V. Waite (SEAL)
HELEN WAITE

State of North Carolina - County of Forsyth

I, the undersigned Notary Public of the County and State aforesaid, certify that BENJAMIN MOSELEY WAITE and wife, HELEN WAITE, 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 19th day of December, 2005.

My Commission Expires: 11-30-2008

Wendy Fordham
Notary Public

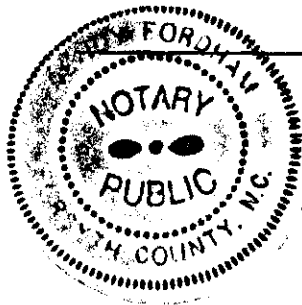


EXHIBIT "A" TO A DEED FROM WAITE

Being all of Tract B containing 3.004 acres, more or less, as shown on a plat thereof recorded in Plat File 11, Slide 503 Records of Plats for Transylvania County.

This conveyance is made subject to a view easement across the land hereinabove described which shall be for the purpose of affording the owners of Tract A containing 4.272 acres, more or less, as shown on the recorded plat hereinabove referred to with a "see-through" but not a clear and unobstructed view across Tract B from the main floor of the house presently located on Tract A which shall be comparable to the view which is currently enjoyed by the residents of said house on the date of the recordation of this deed.

It is understood and agreed that the view easement retained herein for the benefit of the owners of Tract A shall be appurtenant to and run with the title to said tract.

It is further understood and agreed that the owner of Tract B shall have the exclusive right to perform all trimming and cutting in the view easement area with the cost of any such trimming or cutting to be mutually agreed upon by the owners of Tracts A and B prior to the performance of any such work.

In the event that the owners of the two tracts affected by the view easement hereinabove referred to shall be unable to agree on the extent of any cutting and trimming which is necessary to maintain the view easement hereinabove referred to, or the cost thereof, or in the event that any other controversy over the terms and applications of said "see-through" easement should arise between the owners of said tracts, the issue or issues in controversy shall be submitted to arbitration. The site of any arbitration must be Transylvania County, North Carolina. Notice of demand for arbitration of the dispute shall be made in writing to the other party or parties to the dispute, with such notice to be submitted by certified mail, return receipt requested, addressed to the other party or parties to the dispute at their home or office address as listed on the records of the Transylvania County Tax Supervisor. Within ten days after such notice has been given, the owner of each tract shall appoint an arbitrator and the two arbitrators shall appoint a third arbitrator. The arbitrators so appointed and selected shall meet within ten days after the selection of the third arbitrator and hear the contentions of the parties and within ten days after the completion of the hearing shall render their decision. The decision of any two of said arbitrators shall be binding upon the parties involved in the arbitration. It is mutually agreed that the decision of the arbitrators shall be a condition precedent to the right of any legal action that either party may have against the other. The arbitrators shall fix their own compensation unless otherwise provided by agreement, and shall assess the costs and charges of the proceedings against such party or parties in such proportions as may be determined by any two of said arbitrators.