


2007000814


 TRANSYLVANIA CO, NC FEE \$20.00
NO TAXABLE CONSIDERATION
 PRESENTED & RECORDED:
 01-30-2007 04:38:05 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: BETH C SALES
 ASSISTANT
BK:DOC 391
PG:455-457

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: -0-

Parcel Identifier No. _____ Verified by Transylvania County on the 30th day of January, 2007
 By: _____ *gem*

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 11 day of July, 2006, by and between

GRANTOR

CHARLES L. WAMSLEY, JR. (Unmarried)

GRANTEE

ROBERT G. McCALLUM and wife,
 CYNTHIA A. McCALLUM, and
 PROPRIUM McCALLUM, LTD.

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 WELL, WATER, WATER LINE AND ACCESS RIGHTS AND RIGHTS OF WAY DESCRIBED ON THE PAGE WHICH IS ATTACHED HERETO, DESIGNATED AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.

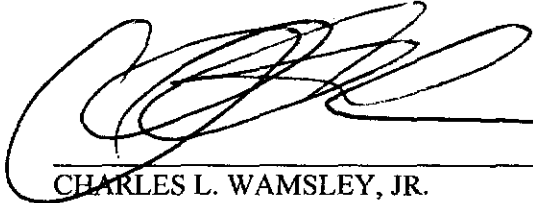
The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

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:

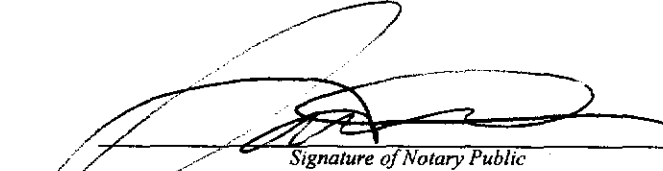
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first written.

 (SEAL)
CHARLES L. WAMSLEY, JR.

STATE OF GEORGIA, COUNTY OF Fulton

I, the undersigned Notary Public of the County and State aforesaid, certify that CHARLES L. WAMSLEY, JR. (Unmarried) 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 Seal, this the 18 day of December, 2006.


Signature of Notary Public
Tammie Stillwell
Printed or typed name of Notary Public



Tammie Stillwell
Notary Public, Fulton County, Georgia
My Commission Expires July 14, 2003

EXHIBIT "A" TO A DEED FROM CHARLES L. WAMSLEY, JR., TO ROBERT G. McCALLUM AND WIFE, CYNTHIA A. McCALLUM, AND PROPRIUM McCALLUM, LTD.

There is conveyed hereby the right to use water from the well which is located on Lot 302 of Fox Ridge as described in a deed to the Grantor recorded in Book 406, page 412, Records of Deeds for Transylvania County, with it being understood and agreed (1) that the Grantee and the Grantor shall share equally in the use of the water from said well, (2) that each shall each pay all of the cost of operating, maintaining and repairing the separate pump installed therein which serves only the tract of land which is owned by such party and a pro rata share of the cost of maintaining and repairing said well, and (3) that in the event, at some point in the future, that said well fails to produce a sufficient volume of water to satisfy the reasonable needs of both the owner of Lot 302 of Fox Ridge and the owner of the 0.455 acre parcel hereinafter referred to, the owner of said 0.455 acre parcel shall be obligated to drill another well at such owner's expense on said 0.455 acre parcel and upon the completion of such well, the owner of such parcel shall have no further rights in and to the use of the existing well on Lot 302 nor any further obligation to pay any of the costs of operating, maintaining and repairing said well and the separate pump installed therein which currently serves the 0.455 acre parcel.

There is also conveyed hereby a right of way to said well from the parcel of land containing 0.455 acres, more or less, which is described in deeds to the Grantee and the Grantee's predecessors in title recorded in the office of the Register of Deeds for Transylvania County in Deed Book 454, page 799, Document Book 82, page 435, Document Book 179, page 485, and Document Book 301, page 811 (Tract II), for the purpose of maintaining and repairing said well, the separate pump installed therein which serves the 0.455 acre parcel hereinabove referred to and the currently existing water line which connects said well with said parcel, with said right of way to extend over and along said water line as the same is now located.

The well, water, water line and access rights and rights of way herein conveyed shall be appurtenant to and run with the title to the 0.455 acre parcel hereinabove referred to, and the obligations imposed by this deed on the Grantor and Grantee shall be appurtenant to and run with the title to said 0.455 acre parcel and the tract of land owned by the Grantor described in the deed recorded in Book 406, page 412, hereinabove referred to.