



2011004459

TRANSYLVANIA CO, NC FEE \$28.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED

09-16-2011 12:06:23 PM

CINDY M OWNBEY
REGISTER OF DEEDS

BY KARIN SMITH
DEPUTY REGISTER OF DEEDS

BK: DOC 586

PG: 38-41

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$00.00 Complete/Parcel ID POR #8582-96-9908-000 &
8592-96-7849-000

This instrument prepared by: BRIAN P. PHILIPS

Mail after recording to: Brian P. Philips
P.O. Box 432
Brevard, NC 28712

9-16-11 am

THIS WARRANTY DEED is made this 9th day of September, 2012, by and between **ROGER C. McCANN and wife, SUSAN H. McCANN** and **THE CONNESTEE FALLS PROPERTY OWNERS ASSOCIATION, INC.** (hereinafter referred to as the "GRANTOR") and **ROGER C. McCANN and wife, SUSAN H. McCANN**, 954 Soquilli Drive, Brevard, NC 28712, (hereinafter referred to as the "GRANTEE"). 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.

W I T N E S S E T H:

THAT said GRANTOR, for good and valuable consideration paid by the GRANTEE, the receipt of which is hereby acknowledged, has and by these presents does hereby give, grant, bargain, sell, and convey unto said GRANTEE in fee simple, all of that certain lot, parcel, or tract of land situate, lying, and being in Dunns Rock Township, Transylvania County, North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

TO HAVE AND TO HOLD the above-described lands and premises and all privileges and appurtenances thereto belonging, or in anywise

appertaining, unto the GRANTEE in fee simple.

AND the said GRANTOR covenants to and with the GRANTEE, that GRANTOR is seized of the premises in fee simple, has the right to convey the same in fee simple, and that title is marketable and free and clear of all encumbrances, except as set forth above, and that GRANTOR will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions herein stated.

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand and seal.

Roger C. McCann (SEAL)
ROGER C. McCANN

Susan H. McCann (SEAL)
SUSAN H. McCANN

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, Sue A. Green, a Notary Public of the County and State aforesaid, certify **ROGER C. McCANN and wife, SUSAN H. McCANN**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

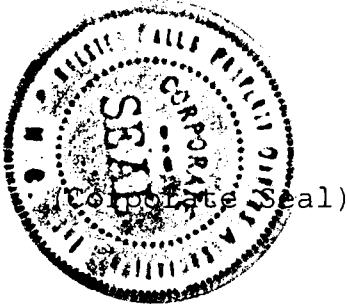
WITNES my hand and notarial seal this 16th day of September, 2011.



Sue A. Green
Notary Public

IN WITNESS WHEREOF, the GRANTOR 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.

CONNESTEE FALLS PROPERTY OWNERS ASSOCIATION, INC.

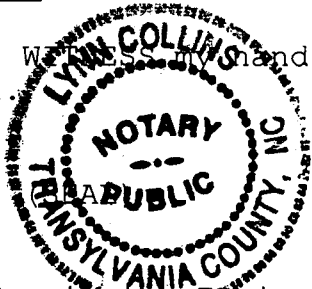


By: *Earl Jenkins*
General Manager

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, *Lynn Collins*, a Notary Public of the County and State aforesaid, certify that *Earl Jenkins*, General Manager personally appeared before me this day and acknowledged that he/she is the *General Manager* of CONNESTEE FALLS PROPERTY OWNERS ASSOCIATION, INC., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its *General Manager*.

Witness my hand and notarial seal this *12th* day of September, 2011.



Lynn Collins
Notary Public

My Commission Expires:
5-2-2012

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

The Certificate(s) of _____ is/are certified to be correct.

This instrument was presented for registration and recorded at _____ o'clock _____ M. on the _____ day of _____, 2011, in Document Book _____ at Page _____.

Register of Deeds

EXHIBIT "A"

BEING all of Lots 111, 112 and 113 of Unit 12, of Connestee Falls Development, as shown on a plat thereof recorded in Plat File 14, Slide 528 Records of Plats for Transylvania County, North Carolina. Lots 111, 112 and 113 are designated as Lot 112A Revised of Unit 12 as more particularly described on the plat entitled "Recombination Plat for Bruce R. Livengood & Barbara F. Livengood and Roger C. McCann & Susan H. McCann".

Subject to the privileges and mutual and beneficial restrictions, covenants, equitable servitudes and charges set forth in the Fourth Restatement of Declaration of Restrictive Covenants for Connestee Falls recorded in Book 512, Page 224-251, Records of Deeds for Transylvania County, North Carolina and by all subsequent amendments and supplemental declarations thereto appearing of record in the office of the Register of Deeds for Transylvania County.

Subject to the restriction that the above described property cannot be separated or subdivided for resale, devise or gifting.

This conveyance is made subject to the rights-of-way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights-of-way of all utility lines which may presently traverse the property and to all rights of way for public utilities which may presently appear of record.