217

ERNEST SNELSON
TAX SUPERVISOR
6/18/76

STATE OF NORTH CAROLINA

COUNTY OF MADISON

THIS DEED made and entered into on this the 16th day of June, 1976, by and between HENRY C. FISHER and PAUL J. SMITH, acting as Commissioners as hereinafter stated, parties of the first part, and WILLIAM R. EDWARDS, party of the second part,

W I T N E S S E T H:

THAT WHEREAS, in a certain Special Proceeding entitled, "Lena Metcalf, Administratrix Estate of William Clee Metcalf, deceased Vs. Roy Metcalf et al., Respondents (75 SP 12)" before the Clerk of the Superior Court of Madison County, North Carolina and pursuant to Orders of the Court appointing Henry C. Fisher and Paul J. Smith, Commissioners to sell the lands of William Clee Metcalf, deceased at public or private sale to the highest bidder for cash, that pursuant to said Orders an offer of purchase for Tracts Nos. 2 and 3, known as the Ingle and Moss Hollow Tracts as fully described in the Petition herein was made by David W. Tauber and William R. Edwards by and through their Agent H. C. Edwards to purchase said lands for the sum of $14,500.00: that said sale was duly reported to the Clerk of the Superior Court Madison County, North Carolina on the 28th day of April, 1976: that more than ten days have elapsed since said report of sale and that said bid has not been raised nor objection made thereto, and that thereafter the said David W. Tauber duly assigned his interest in said bid to second party, William R. Edwards, and that said Clerk has confirmed said sale and ordered that Deed be made to purchaser upon receipt of the purchase price; and whereas, said purchase price has been fully paid:

NOW, THEREFORE, said parties of the first part acting as Commissioners as aforesaid under authority of said Orders of Court and in consideration of the purchase price of $14,500.00 have bargained and sold, and by these presents do bargain, sell and convey unto said party of the second part, his heirs and

assigns, those two certain tracts or parcels of land, lying and being in No. 4 Township, Madison County, North Carolina, known as the Moss Hollow and Ingle Tracts, as fully described in the Petition in this cause as Tracts 2 and 3 particularly described as follows:

Tract No. 2. BEGINNING on a buckeye stump and rock in a line between Jim Anderson and Aron Ingle on the East Fork of Paint Fork; thence North 10 poles to a rock; thence Northeastward 8 poles to a rock; thence an East direction about 12 poles to a cucumber; then an East direction with a marked line to the Yancey County line; then South with the Yancey County line to the Cole knob; thence Westward with a line between George Maney and Aron Ingle to the oak corner between John Moss and J. W. Ingle, then Northward down with the main top and meanders of said ridge to a rock, then North 20 poles to a rock, then Northwest 16 poles lacking 2 feet to the BEGINNING corner, containing 60 acres more or less and being the same property described in a deed dated September 24, 1921 from John Moss and wife Lizzie Moss to W. C. Metcalf, recorded in Deed Book 44, at page 574 in the office of the Register of Deeds for Madison County, N. C.

Tract No. 3. BEGINNING on a buckeye stump and rocks in a line between John Metcalf and W. C. Metcalf and runs a Southeast course 16 rods lacking two feet to a rock; thence a Southward course to the center of a ridge, thence with the main top and meanderings of said ridge to an oak at or near a line between John Brigman and John Metcalf, thence West with this line down the dividing ridge between East Fork and Turis Fork to John Metcalf line, thence Northward down with ridge with a marked line to a poplar and hickory, then an East direction with a marked line to the BEGINNING corner. Containing 40 acres more or less. Being the same property described in a deed from J. W. Ingle and Manervia Ingle to W. C. Metcalf, dated October 1, 1925, and recorded in Deed Book 47 at page 145 in the office of the Register of Deeds for Madison County, N. C.

TO HAVE AND TO HOLD said lands and premises, together with all privileges and appurtenances thereunto belonging to the said party of the second part, his heirs and assigns in as full and ample a manner as said parties of the first part as Commissioners as aforesaid are authorized and empowered to convey the same.

IN TESTIMONY WHEREOF, the said parties of the first part acting as Commissioners as aforesaid, have hereunto set their hands and seals, the day and year first above written.

Henry J. Fisher (SEAL)

Paul J. Smith (SEAL)

Paul J. Smith, COMMISSIONERS