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REAL ESTATE EXCISE

TAX PAID: \$318.00
JDM

7-14-04
LYB

Excise Tax \$318.00

complete improved

Parcel ID #8586-76-3979-410

This instrument prepared by:

Donald H. Barton, Attorney-at-Law
(no title search)

Mail after recording to:

Donald H. Barton, Attorney at Law
P.O. Box 1209
205 East Main Street
Brevard, NC 28712

WARRANTY DEED

THIS WARRANTY DEED is made this 12th day of July, 2004, by and between **THOMAS J. MIGLAUTSCH and wife, DOROTHY S. MIGLAUTSCH** (hereinafter referred to as the "GRANTOR") and **EDWARD J. BURKE and wife, CAROLE C. BURKE** of 15 Quail Run Circle, 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.

WITNESSETH:

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 the city of Brevard, Brevard Township, Transylvania County, North Carolina, and more particularly described as follows:

BEING ALL of Unit 702, Building 7, of CAREFREE CAROLINA CONDOMINIUMS, Quail Run Cluster, as described in that Declaration of Condominium thereof as the same is recorded in Condominium book 5, Page 551, and as located on that Plat recorded in Plat File 2, Slide 374.

TOGETHER WITH a 9.23% undivided interest in and to the common elements of the Quail run Cluster as the same is referred to above.

This conveyance is made subject to easements, restrictions and rights-of-way of record.

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.

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

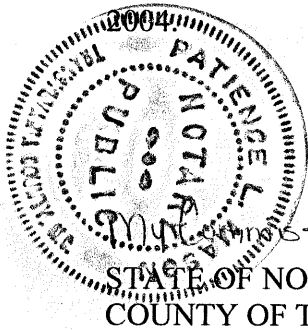
Thomas J. Miglausch (SEAL)
Thomas J. Miglausch

Dorothy S. Miglausch (SEAL)
Dorothy S. Miglausch

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, Patience L. Mason, a Notary Public of the County and State aforesaid, certify that THOMAS J. MIGLAUTSCH and wife, DOROTHY S. MIGLAUTSCH personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 12 day of July,



Patience L. Mason
Notary Public

The Certificate (s) of Patience L. Mason is/are certified to be correct.

This instrument was presented for registration and recorded at 3:40 o'clock
9 M. on the 14 day of July, 2004, in Document Book 242
at Page 345.

Cindy M. Ownbey
Register of Deeds
By Paul Lapps
Deputy