

2020008073

TRANSYLVANIA COUNTY NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED

12/17/2020 03:31:31 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: BRIDGET MCCALL

DEPUTY REGISTER OF DEEDS

BK: DOC 956**PG: 387 - 390****NORTH CAROLINA QUITCLAIM DEED**

Excise Tax: \$0.00

Parcel Identifier No. _____ Verified by Transylvania County on the ___ day of _____, 2020.

By: _____.

Mail/Box to: Grantee, Grantee, Scott Leander Smith, 1526 Lover's Lawn Trace, Cornelius, North Carolina 28031

This instrument was prepared by: Irene P. King, Esq. - No title search or opinion rendered

Brief description for the Index: 28.86 acres, Old Little Mountain Road

THIS DEED made this ___ day of December, 2020, by and between

GRANTOR

RACHELLE A. SMITH (separated)

And

SCOTT LEANDER SMITH (separated)

GRANTEE

SCOTT LEANDER SMITH (separated)Property Address: 154 Old Little Mountain
Road, Pisgah Forest, North Carolina 28768Mailing Address: 1526 Lover's Lawn Trace,
Cornelius, North Carolina 28031

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 valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has remised and released and by these presents do remise, release, and forever quitclaim unto the Grantee and his heirs and assigns all right, title, claim, and interest in that certain lot or parcel of land situated in Boyd Township, Transylvania County, North Carolina, and as is described in the attached Exhibit "A."

Being the identical property acquired by Grantor by instrument recorded in Deed Book 814 at Pages 114-116 of the Transylvania County Registry.

A map showing the property described is recorded in Plat File 8, Slide 374 of the Transylvania County Registry.

[All or a portion of the property herein conveyed __ does X does not constitute the primary residence of a grantor.]

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. Grantor makes no warranty, express or implied, as to title to the Property hereinabove described.

The title to this property was not examined by the attorney who prepared this North Carolina Quitclaim Deed, and said attorney has not expressed any opinion about the title to the property or the legal description of the property contained in this deed.

Grantor and Grantee are married, but are now separated from one another. This conveyance is made pursuant to N.C. Gen. Stat. § 39-13.3(c) or any amendment or update thereto for the purpose of severing the existing tenancy by the entirety and conveying the property so described in fee simple to Grantee. It is further intended and agreed that this conveyance is made pursuant to the parties' duly executed Contract of Separation, Property Settlement and Alimony Agreement and N.C. Gen. Stat. § 52-10 or any amendment or update thereto for the purpose of vesting sole ownership in the Grantee, and, for this purpose, the Grantor does waive, release, quitclaim, and renounce all and every right to share in the estate of the Grantee upon Grantee's death provided in N.C. Gen. Stat. § 29-14 or any amendment or update thereto, all and every right to elect to take a life estate in said real estate upon the death of Grantee, any right or claims under the Equitable Distribution Act under N.C. Gen. Stat. §§ 50-20, 52-10 and 29-30(a)(2) 39-13.3(c), or any amendment or update thereto, or any equitable distribution or property laws of any state, and all other rights and interest in said real estate which the Grantor now or would hereafter have arising out of or accruing to him by reason of his marital relationship with the Grantee, including those granted by statute, common law, or otherwise to extinguish any present or future claims of Grantor for equitable distribution or marital interest which may arise under N.C. Gen. Stat. § 50-20, *et. seq.*, or any other section. This waiver shall not be extinguished by any subsequent cohabitation, reconciliation or resumption of the marital relationship between the parties. It is the intent of the parties that this conveyance shall be and remain the sole and separate property of Grantee, pursuant to N.C. Gen. Stat. § 50-20(b)(2) or any amendments, updates or modifications thereto, or any other sections that would effectuate this intent. That Grantor acknowledges that Grantee shall henceforth have the right to convey or encumber, or in any other fashion alienate said property, free and clear of all rights and interest of, and without joinder of the Grantor. This conveyance is also made pursuant to the provisions of N.C.G.S. § 50-20(d) and constitutes a part of an equitable distribution of marital property. Hereafter, this property shall be the separate property of the Grantee as defined in N.C.G.S. § 50-20(b)(2). This conveyance is a transfer of interest in real property between former spouses incident to a divorce and related to the cessation of the marriage of Grantee and Grantor, within the meaning of Section 1041 of the Internal Revenue Code. The parties elect to recognize no gain or loss in connection with this conveyance.

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

[SIGNATURES AND NOTARIAL STAMPS ON THE FOLLOWING PAGE]

RACHELLE A. SMITH

RACHELLE A. SMITH

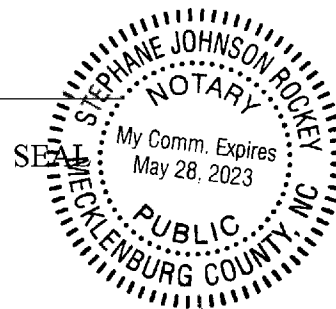
State of North Carolina
County of Mecklenburg

I, Stephane Johnson Rockey the undersigned Notary Public for said County and State, certify that RACHELLE A. SMITH, either being personally known to me or proven to me on the basis of satisfactory evidence to be the person described, personally appeared before me this day and acknowledged to me he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and Notarial stamp or seal this 10th day of December, 2020.

Stephane Johnson Rockey
A Notary Public of North Carolina

Stephane Johnson Rockey
Notary's Printed or Typed Name



My Commission Expires: May 28, 2023

SCOTT LEANDER SMITH
SCOTT LEANDER SMITH

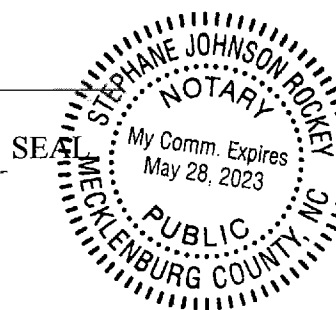
State of North Carolina
County of Mecklenburg

I, Stephane Johnson Rockey the undersigned Notary Public for said County and State, certify that SCOTT LEANDER SMITH, either being personally known to me or proven to me on the basis of satisfactory evidence to be the person described, personally appeared before me this day and acknowledged to me she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and Notarial stamp or seal this 10th day of December, 2020.

Stephane Johnson Rockey
A Notary Public of North Carolina

Stephane Johnson Rockey
Notary's Printed or Typed Name



My Commission Expires: May 27, 2023

The foregoing Certificate of _____ is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTRAR OF DEEDS FOR TRANSYLVANIA COUNTY

BY: _____
Deputy/Assistant-Registrar of Deeds

EXHIBIT "A"

All of the property containing 28.86 acres as shown on the survey by Robert Raxter, PLS, dated September 7, 1999 and recorded in Plat File 8, Slide 374 in the Transylvania County Registry, State of North Carolina.