

961908 Polk COUNTY
Dec 16 1998 \$920.00



Real Estate
Excise Tax

Excise Tax \$920.00

FILED
Dec 16 1998 @ 01:09:58 PM
Pam Miller
Register of Deeds Polk COUNTY
BOOK 251 Page 2102

Recording Time, Book and Page

Tax Lot No. P-63-5 Parcel Identifier No.
Verified by Polk County on the day of December, 1998
by Louise Cochran, Tax Administrator

Mail after recording to
This instrument was prepared by R. ANDERSON HAYNES, Attorney at Law, P.O. Box 100, Tryon, NC 28782
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 16th day of DECEMBER, 19 98, by and between

GRANTOR

GRANTEE

DORIS M. GALLOWAY and LEON M. GALLOWAY, III,
her husband

EMILY HARRIS CLARK

Mailing Address: 881 Springdale Road
Atlanta, GA 30306

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 Tryon Township, Polk County, North Carolina and more particularly described as follows:

Being all of that certain tract or parcel of land containing 7.97 acres, more or less, as shown and delineated upon a plat entitled "Leon M. Galloway, III and Doris M. Galloway, Tryon Twp., Polk Co., No. Car., School District 1, Spartanburg Co., So. Car.", dated August 4, 1988, revised August 27, 1988 and November 17, 1994, prepared by Butler Associates, Registered Land Surveyor, bearing plat number 248B, which plat is duly recorded in Card File C at Page 331, in the Office of the Register of Deeds for Polk County, North Carolina; reference being made to said recorded plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes, Section 47-30(g); said plat also being recorded Plat Book 127 at Page 619, in the Office of the Register of Mesne Conveyance for Spartanburg County, South Carolina.

The above described property is situated partially in Tryon Township, Polk County, North Carolina, and partially in School District 1, Spartanburg County, South Carolina. Conveyances describing the above referenced property will be simultaneously recorded in the Office of the Register of Deeds for Polk County, North Carolina, and the Office of the Register of Mesne Conveyance for Spartanburg County, South Carolina.

The above described property is conveyed subject to the easement and right of way for a driveway running from the state maintained road (Old Landrum Road) over and across a northern portion of the subject property as said driveway is shown and delineated on the above referenced plat.

This conveyance is made, nevertheless, subject to the following restrictions and protective covenants which shall run with the land:

1. There shall exist on the above described property no more than one (1) single family residential dwelling.
2. There is conveyed to the Grantees by a separate deed, a fractional interest in a tract situated in School District 1, Spartanburg County, South Carolina, containing 1.85 acres, more or less, which shall be a "common area". Grantees, their heirs and assigns, shall bear their prorata share of the expense of upkeep and maintenance of said "common area".
3. No building shall be erected in the "Paddock Area" which is situated on that certain 23.03 acre tract heretofore conveyed by Gordon Jay Wiedenkeller, et ux, to Robert W. Vucha and Jeanne L. Vucha, his wife, by deed recorded in Book 167 at Page 2387, Polk County Registry.
4. No building shall be erected in that area between the "Tack Room" (situated on that certain 23.03 acre tract heretofore conveyed by Gordon Jay Wiedenkeller, et ux, to Robert W. Vucha and Jeanne L. Vucha, his wife, by deed recorded in Book 167 at Page 2387, Polk County Registry) and that power line situated on a portion of the 22.35 acre tract heretofore conveyed by Gordon Jay Wiedenkeller, et ux, to Charles M. Webb, et ux, by deed recorded in Book 167 at Page 1343, Polk County Registry; said restricted area is not situated on the property described in this conveyance.

The above described property is conveyed together with a perpetual right of way and easement for ingress, egress and regress over and across that certain driveway running in a northeasterly direction from the state maintained road (Old Landrum Road) across the 1.85 acre tract as shown and delineated upon a plat recorded in Map Slide A-192 at Page 151, Polk County, North Carolina, Registry, (being the northernmost roadway crossing said 1.85 acre tract shown on said plat recorded in Map Slide A-192 at Page 151, Polk County Registry) and continuing across the 7.97 acre tract shown on said plat and continuing along the northern portion of the property hereinabove conveyed to the northeast corner of said property hereinabove conveyed, all as shown on said plat recorded in Map Slide A-192 at Page 151, Polk County, North Carolina, Registry. Said driveway and easement as shown and delineated on the plat recorded in Map Slide A-192 at Page 151, Polk County Registry, shall be used as access by Grantees, their heirs and assigns, together with all other parties having the like right. All parties having such right to use said driveway shall bear their prorata share of the maintenance and upkeep of said driveway.

The above described property is conveyed together with all of Grantor's right, title and interest in that certain Deed of Easement of Ingress and Egress, from Charles M. Webb and Nancy L. Webb, his wife, to William A. Kessler, Jr. and Penelope F. Kessler, his wife, dated August 30, 1988, recorded in Book 199 at Page 1721, Polk County, North Carolina, Registry.

The above described property is conveyed subject to that certain Deed of Easement of Ingress and Egress, from William A. Kessler, Jr. and Penelope F. Kessler, his wife, to Charles M. Webb and Nancy L. Webb, his wife, dated August 31, 1988, recorded in Book 199 at Page 1718, Polk County, North Carolina, Registry.

The above described property is the identical property conveyed by those certain deeds from Leon M. Galloway, III, to Doris M. Galloway, dated November 1, 1996, recorded in Book 237 at Page 519, in the Office of the Register of Deeds for Polk County, North Carolina, and filed on November 11, 1996, in Deed Book 64Z at Page 353, in the Office of the Register of Mesne Conveyance for Spartanburg County, South Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in

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 except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

- a. Subject to all rights of way for public utilities;
- b. Subject to all rights of way for public streets, roadways, and/or easements, particularly easements referenced above;
- c. Subject to applicable zoning ordinances, if any;
- d. Subject to restrictive covenants referenced above.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, 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, the day and year first above written.

.....
(Corporate Name)

By:
..... President

ATTEST:
..... Secretary (Corporate Seal)

.....
(Corporate Name)

By:
..... President

ATTEST:
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

x *Doris M. Galloway* (SEAL)
Doris M. Galloway

x *Leon M. Galloway, III* (SEAL)
Leon M. Galloway, III

..... (SEAL)

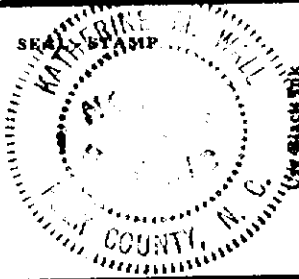
..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)



NORTH CAROLINA, POLK County.

I, a Notary Public of the County and State aforesaid, certify that DORIS M. GALLOWAY and
LEON M. GALLOWAY, III, her husband Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
 hand and official stamp or seal, this 16th day of DECEMBER, 1998.

My commission expires: 10/7/03 Katherine M. Wall Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
 hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
 hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
 hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of
 personally came before me this day and acknowledged that he is
 a North Carolina corporation, and that by authority duly
 given and as the act of the corporation, the foregoing instrument was signed in its name by its
 President, sealed with its corporate seal and attested by as its Secretary.
 Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of
 personally came before me this day and acknowledged that he is
 a North Carolina corporation, and that by authority duly
 given and as the act of the corporation, the foregoing instrument was signed in its name by its
 President, sealed with its corporate seal and attested by as its Secretary.
 Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

The foregoing Certificate(s) of Katherine M. Wall

is/are 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
 next page hereof.

Janeta D. Miller REGISTER OF DEEDS FOR Polk COUNTY
 By Deputy/Assistant-Register of Deeds.