

2011003933
 TRANSYLVANIA CO, NC FEE \$25.00
 STATE OF NC REAL ESTATE EXT
\$260.00
 PRESENTED & RECORDED
 08-18-2011 12:54:55 PM
 CINDY M OWNBEY
 REGISTER OF DEEDS
 BY: D REE MCCALL - DEPUTY REGISTER OF DEEDS
 DEPUTY REGISTER OF DEEDS
 BK: DOC 583
 PG: 121-123

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 260.00 8-18-11 gm
 Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20____
 By: _____

Mail/Box to: Donald E. Jordan, 4 W. Main St., Brevard, NC 28712

This instrument was prepared by: GAYLE E. RAMSEY (No Title Search Performed)

Brief description for the Index: _____

THIS DEED made this 12th day of August, 2011 by and between

GRANTOR	GRANTEE
CHIMNEY CREEK PARTNERS, LLC, a NC limited liability company 10 Park Place West Brevard, NC 28712	JAMES MOSS HEERY and wife, LEE BRUCE HEERY 203 Merion St. Simons Island, GA 31522

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 n/a, Brevard Township, Transylvania County, North Carolina and more particularly described as follows:

BEING ALL OF THE SAME LAND DESCRIBED ON THE PAGE WHICH IS ATTACHED HERETO, DESIGNATED AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

All or a portion of the property herein conveyed includes or X does not include the primary residence of a Grantor.

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, other than the following exceptions:

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

CHIMNEY CREEK PARTNERS, LLC (SEAL)
 By: Arthur G. Fisher (Entity Name) Print/Type Name: _____
Member-Manager Arthur G. Fisher Print/Type Name: _____
 Print/Type Name & Title: Member-Manager Print/Type Name: _____

By: _____ (SEAL)
 Print/Type Name & Title: _____ Print/Type Name: _____

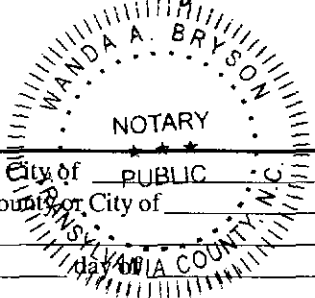
By: _____ (SEAL)
 Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
 I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
 (Affix Seal) Notary's Printed or Typed Name

State of North Carolina - County or City of Transylvania
 I, the undersigned Notary Public of the County or City of Transylvania and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____ Chimney Creek Partners, LLC, a North Carolina ~~corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable)~~, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 15th day of August, 2011.

My Commission Expires: September 29, 2011
 (Affix Seal) Wanda A. Bryson Notary Public
 Notary's Printed or Typed Name



State of _____ - County or City of PUBLIC
 I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____
 Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
 (Affix Seal) Notary's Printed or Typed Name

EXHIBIT "A" TO A DEED FROM CHIMNEY CREEK PARTNERS, LLC, TO HEERY

Being all of Camp 5 of Chimney Creek Conservation Estates as shown on a plat thereof recorded in Plat File 13, Slides 264-268, Records of Plats for Transylvania County.

There is also conveyed a road right of way from the Camp hereinabove described to Siniard Road over and along the subdivision roads which currently connect Chimney Creek Conservation Estates with Siniard Road (also known as Long Branch Road), and thence over and along Siniard Road to the public road, together with a 50 foot wide road and utility line easement and a 100 foot wide temporary construction easement extending over and along the 50 foot wide road and utility line easement and the 100 foot wide construction easement shown on a plat recorded in Plat File 13, Slides 264-268, Records of Deeds for Transylvania County, which extend across the area designed as "The Meadow" as shown on said plat and thence continuing on to the public road across Parcel One containing 18 acres, more or less, as described in a deed from Stone to Chimney Creek Partners, LLC, recorded in the office of the Register of Deeds for Transylvania County in Document Book 420, page 46.

It is also understood and agreed that (1) that notwithstanding the statements made in the notes set out in the first page of the recorded plat hereinabove referred to and in the Declaration of Restrictive and Protective Covenants recorded in Document Book 516, page 28, hereinafter referred to, certain portions of the road and utility line easements which extend across the southern portion of The Meadow and Camp Nine are wider than 50 feet for road and utility purposes and 100 feet for construction purposes and that the correct widths thereof are those dimensions shown on sheet three of said plat, and (2) that the location of those portions of such easements which traverse the 18 acre tract of land which adjoins The Meadow on the southwest which is designated as Parcel One in the deed recorded in Document Book 420, page 46, shall be determined by the vote of the owners of the majority of the nine camps to which such easements shall be appurtenant.

This conveyance is made subject to all trail, road, view and utility line easements and other matters either shown on the recorded plat hereinabove referred to or listed in the notes thereon, and to the Declaration of Restrictive and Protective Covenants for Chimney Creek Conservation Estates ("the Declaration") recorded in the office of the Register of Deeds for Transylvania County in Document Book 516, page 28, as amended by an amendment thereto recorded in Document Book 576, page 683.

It is specifically understood and agreed that the use of that portion of the property which is located within the boundaries of the "Stream Buffer - Greenway" area shown on the recorded plat hereinabove referred to is governed by the special restrictions set out in Article 43 of the Declaration.