

2021007252

TRANSYLVANIA COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXTX

\$1331.00

PRESENTED & RECORDED
09/22/2021 11:38:38 AM

CINDY M OWNBEY

REGISTER OF DEEDS
BY: BETH C LANDRETH
ASSISTANT

BK: DOC 1002
PG: 470 - 474

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$1,331.00

Parcel Identifier No. _____ Verified by _____ County on the ____ day of _____, 2021
By: _____

Mail/Box to: Richard B. Daniel, Attorney, 352 S. Caldwell Street, Brevard, NC 28712

This instrument was prepared by: MICHAEL K. PRATT, a North Carolina Licensed Attorney (No Title Search Performed by the Preparer)

Brief description for the Index: _____

THIS DEED made this 13th day of September, 2021, by and between

GRANTOR	GRANTEE
<p>THOMAS WILLIAM DIEHL and, ROSEANNE I. DIEHL, as Co-Trustees of The Thomas and Roseanne Diehl Living Trust u/a/d July 1, 2021</p>	<p>ALLEN MCRAZ ZITTRAUER (unmarried)</p>
<p>1281 Panoramic Vista Johnson City, TN 37615</p>	<p>6965 Jefferson Highway Baton Rouge, LA 70806</p>

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, Dunns Rock 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.

All or a portion of the property herein conveyed does include the primary residence of the 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.

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 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:

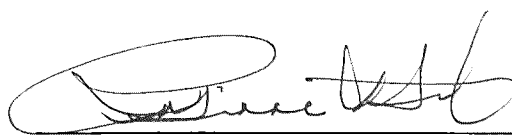
Submitted electronically by "Richard B. Daniel, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Transylvania County Register of Deeds.

Exceptions and reservations contained in this deed and/or in instruments referenced herein.
Easements and rights of way for public and private roads and utilities, of public record.
Lien of ad valorem taxes for the current year and subsequent years, not yet due and payable.

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

THE THOMAS AND ROSEANNE DIEHL LIVING TRUST U/A/D JULY 1, 2021

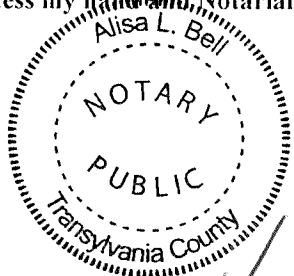
 (SEAL)
THOMAS WILLIAM DIEHL

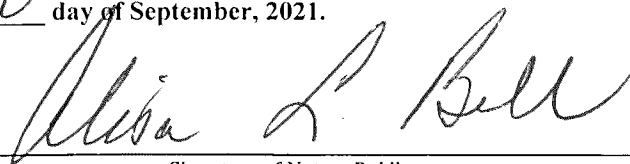
 (SEAL)
ROSEANNE I. DIEHL

State of NC County of TRANSYLVANIA

I, the undersigned Notary Public of the State and County aforesaid, certify that THOMAS WILLIAM DIEHL and ROSEANNE I. DIEHL 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 30 day of September, 2021.




Signature of Notary Public

My commission expires: 4/20/26

ALISA L. BELL
Printed or typed name of Notary Public

EXHIBIT "A" TO A DEED FROM THOMAS WILLIAM DIEHL AND ROSEANNE I. DIEHL, AS CO-TRUSTEES OF TH THOMAS AND ROSEANNE DIEHL LIVING TRUST U/A/D JULY 1, 2021 TO ALLEN MCRAY ZITTRAUER

Being all of Lot 30 of Section C of Glen Cannon Land Company as shown on a plat thereof recorded in Plat Book 5, Page 14, Records of Plats for Transylvania County.

Subject to restrictive covenants appearing of record in Transylvania County Registry.

Subject to easements and rights-of-way of record.

Being all of the same land described in a deed from Donald E. Cox and Harriet W. Cox as Trustees of the Donald E. and Harriet W. Cox Family Trust, dated July 25, 1996, Grantors, to Thomas W. Diehl and wife, Roseanne I. Moody Diehl, Grantees, recorded on October 26, 2015, in Document Book 744, Page 248, of the Transylvania County Registry.

No party dealing with the Trustees in relation to the property in any manner whatsoever and without limiting the foregoing, no party to whom the property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased or mortgaged by the Trustees shall (a) be obliged (1) to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property; (2) to see that the terms of the Trust have been complied with; (3) to inquire into the authority, necessity or expediency of any act of the Trustees; or (b) be privileged to inquire into any of the terms of the Trust Agreement.

To the extent that this property was held in tenancy by the entities prior to this conveyance, it is Grantors' express direction, pursuant to General Statute Section 39-13.7, that the property retain the character of tenancy by the entireties while in this Trust, including immunity from the claims of separate creditors.

EXHIBIT "B" TO A DEED FROM DIEHL, TRUSTEES, TO ZITTRAUER

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

CERTIFICATE OF TRUST

Pursuant to the North Carolina General Statutes Section 36C-10-1013 and similar applicable laws of this and any other applicable jurisdictions, THOMAS WILLIAM DIEHL, CO-TRUSTEE AND ROSEANNE I. DIEHL, CO-TRUSTEE, under the agreement referenced herein, do hereby make the following representations and assurances:

1. The THOMAS WILLIAM DIEHL AND ROSEANNE I. DIEHL, AS CO-TRUSTEES OF THE THOMAS ROSEANNE DIEHL LIVING TRUST U/A/D, hereinafter referred to as the Trust Agreement, was executed on July 1, 2021
2. The Grantors under the Trust Agreement are THOMAS WILLIAM DIEHL AND ROSEANNE I. DIEHL.
3. The current Trustees are THOMAS WILLIAM DIEHL AND ROSEANNE I. DIEHL, 1281 PANORAMIC VISTA, JOHNSON CITY, TN 37615.
4. The powers of the Trustee under the Trust Agreement include the power to sell and convey the assets of the Trust.
5. The Trust Agreement is revocable by the Settlor.
6. The Trustee has the powers deemed necessary and appropriate to administer the trust, including authority to sign or otherwise authenticate documents on behalf of the Trust.
7. The Trust's taxpayer identification number is available upon request.
8. The Trustee received title to the Trust property by deed dated July 1, 2021, and recorded in the office of the Register of Deeds for Transylvania County, North Carolina, in Document Book 989, page 573.
9. The Trust Agreement has not been revoked, modified, or amended in any manner that would cause the representations made herein to be incorrect.

This the 20th day of September, 2021.

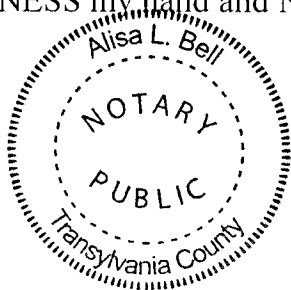
Thomas William Diehl (SEAL)
THOMAS WILLIAM DIEHL, Co-Trustee

Roseanne I. Diehl (SEAL)
ROSEANNE I. DIEHL, Co-Trustee

STATE OF NC, COUNTY OF Transylvania

I, Alisa L. Bell, the undersigned Notary Public of the County and State aforesaid, certify that Thomas William Diehl and Roseanne I. Diehl, Co-Trustees 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 Seal, this the 20th day of September, 2021.



Alisa L. Bell
Notary Public

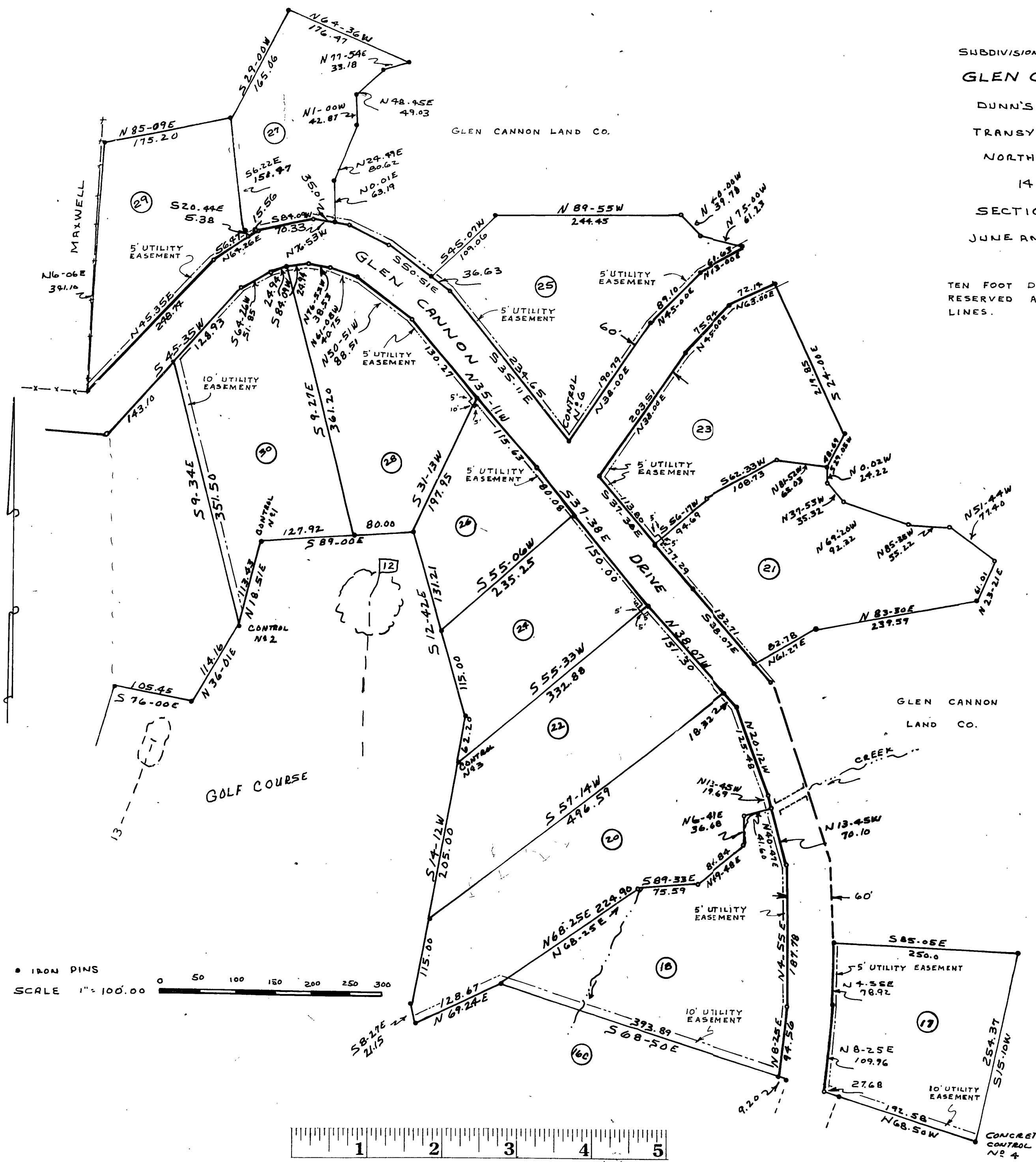
My commission expires: 4/20/26

Plat Book 5 page 14

SUBDIVISION OF PROPERTY OF
GLEN CANNON LAND CO.
DUNN'S ROCK TOWNSHIP
TRANSYLVANIA COUNTY
NORTH CAROLINA
14 LOTS
SECTION - C -
JUNE AND JULY 1971

TEN FOOT DRAINAGE EASEMENT IS
RESERVED ADJACENT TO ALL LOT
LINES.

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STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
THE FOREGOING CERTIFICATES OF PERRY
R. RAXTER, REGISTERED LAND SURVEYOR AND
OF Betty Jean Lance NOTARY PUBLIC ARE
CERTIFIED TO BE CORRECT. LET THE PLAT
AND CERTIFICATES BE REGISTERED.
THIS PLAT WAS PRESENTED FOR REGIS-
TRATION AND RECORDED IN THIS OFFICE IN
PLAT BOOK 5 PAGE 14
THIS IS THE 19 DAY OF SEPT. 1972.
9:00 O'CLOCK A. M.

Joe J. Deal
REGISTRAR OF DEEDS
By Usher & Blumfeld Sols.

I, P. R. RAXTER, CERTIFY THAT THIS MAP WAS
DRAWN FROM AN ACTUAL SURVEY MADE BY ME;
THAT THE ERROR OF CLOSURE AS CALCULATED
BY LATITUDE AND DEPARTURE IS 1:500.0;
THAT THIS MAP WAS
PREPARED IN ACCORDANCE WITH G.S. 41-30
AS AMENDED.
WITNESS MY HAND AND SEAL THIS 19 DAY OF
September, 1972.

P.R. Raxter
SURVEYOR

I, Betty Jean Lance A NOTARY PUBLIC IN AND
FOR TRANSYLVANIA COUNTY, NORTH CAROLINA,
DO HEREBY CERTIFY THAT P. R. RAXTER PER-
SONALLY APPEARED BEFORE ME THIS DAY AND
BEING DULY SWORN ACKNOWLEDGED THAT HE
EXECUTED THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND NOTARIAL SEAL THIS THE
18th DAY OF September, 1972.

Betty Jean Lance
NOTARY PUBLIC

My COMMISSION EXPIRES:
April 14, 1975

• IRON PINS
SCALE 1" = 100.00'

