

Doc ID: 004608270003 Type: CRP  
 Recorded: 06/23/2016 at 02:21:08 PM  
 Fee Amt: \$836.00 Page 1 of 3  
 Revenue Tax: \$810.00  
 Polk, NC  
 Sheila Whitmire Register of Deeds  
 BK **420** PG **82-84**

## NORTH CAROLINA GENERAL WARRANTY DEED

**Excise Tax: \$810.00**

Parcel Identifier No. P34-72 Verified by Polk County on the \_\_\_\_ day of June, 2016.

Mail/Box to:

This instrument was prepared by: John C. Hovendon, 455 South Trade Street, Tryon, NC 28782



THIS DEED made this 20<sup>th</sup> day of **June, 2016**, by and between

### GRANTOR

**Allen B. Richon and Merry A. Richon,  
 husband and wife**

**4411 Connecticut Avenue, #514  
 Washington, DC 20008**

### GRANTEE

**Reuben Walter Ogburn III and Marlyn W.  
 Ogburn, husband and wife**

**1116 Miller Mountain Road  
 Saluda, NC 28773**

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 Town of n/a, Tryon Township, Polk County, North Carolina, and more particularly described as follows:

**Please see attached Exhibit A.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 258 at Page 55. A map showing the above described property is recorded in Card File A at Page 147.

**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:

- a. All rights of way for public utilities;
- b. All rights of way for public streets, roadways, and/or easements; and
- c. Applicable zoning ordinances, if any.

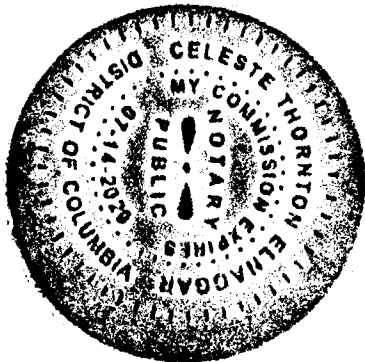
**IN WITNESS WHEREOF**, the Grantor has duly executed the foregoing as of the day and year first above written.

\_\_\_\_\_ (Entity Name) Allen B. Richon (SEAL)  
Allen B. Richon  
 By: \_\_\_\_\_ Merry A. Richon (SEAL)  
Merry A. Richon  
 \_\_\_\_\_ (SEAL)  
 \_\_\_\_\_ (SEAL)

STATE OF Washington, COUNTY OF Distric of Columbia

I, Celeste Elraggar, a Notary Public of Washington County, Distric of Columbia, certify that **Allen B. Richon and Merry A. Richon** came before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and Notarial stamp or seal this the 20<sup>th</sup> day of **June**, 2016.



Celeste Elraggar  
Notary Public  
My Commission Expires: 07/14/2020

Exhibit A

**BEING** all of that certain tract or parcel of land containing 17.24 acres, more or less, and being shown and delineated on that certain plat entitled "Daniel L. Breger, Sr. and Daniel L. Breger, Jr., Tryon Twp., Polk Co., No. Car.", dated November 5, 1987, and revised March 20, 1989, prepared by Butler Associates, Registered Land Surveyor, said plat being duly recorded in Card File A at Page 147, in the Office of the Register of Deeds for Polk County, North Carolina; reference being made to said recorded plat for a more full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes, Section 47-30(g).

The above described property is conveyed **SUBJECT TO** the right of way of a private road known as Miller Mountain Road, running along the northern boundary line of the above described 17.24 acre parcel of land, as shown on the above described, recorded plat.

The above described property is also conveyed **SUBJECT TO** a non-exclusive road right of way easement for purposes of ingress, egress, and regress, over the above referenced private road known as Miller Mountain Road, as shown on the recorded plat, and **TOGETHER WITH** a non-exclusive road right of way easement over that portion of Miller Mountain Road that extends from the above described property to and intersects with State Road #1122, said portion of Miller Mountain Road being described in the Exhibit A to Book 180 at Page 924, Polk County Registry. The above described right of way shall be used in common with Jack L. Story, Inc., its successors and assigns, and all other parties having the lawful right to use the same, and the Grantee herein shall share pro rata in the maintenance and upkeep of said right of way easement with the other legal users of said easement.

The above described property is further conveyed **SUBJECT TO** the Declaration of Covenants and Restrictions recorded in Book 204 at Page 438, Polk County Registry, as well as that Declaration of Covenants and Restrictions recorded in Book 234 at Page 883, Polk County Registry; all previously recorded restrictions against the subject property were voided by that certain Release of Restrictions recorded in Book 234 at Page 885, Polk County Registry.

The above described property is identical to that conveyed to Allen B. Richon and wife, Merry A. Richon, by that certain deed from Barbara B. Clark and Arthur R. Clark, Trustees under The Barbara B. Clark Living Trust, said deed dated September 20, 1999, and recorded on September 24, 1999, in Book 258 at Page 55, Polk County Registry.

This conveyance does not include the primary residence of Grantor.