

2023000037TRANSYLVANIA COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXTX**\$448.00**

PRESENTED & RECORDED

01/05/2023 09:49:20 AM

BETH C LANDRETH

REGISTER OF DEEDS

BY: BETH C LANDRETH

REGISTER

BK: DOC 1065**PG: 307 - 309****NORTH CAROLINA GENERAL WARRANTY DEED****Excise Tax: \$448.00**Parcel Identifier No. 9504-12-1373-000 Verified by _____ County on the ____ day of _____, 20____
By: _____Mail/Box to: Ramsey, Pratt & Camenzind P.A., 35 North Gaston Street, Brevard, NC 28712This instrument was prepared by: Hannah L. Camenzind, Ramsey, Pratt & Camenzind P.A.Brief description for the Index: Tract 5-B, +/-7.17 acres

THIS DEED made this 4th day of January, 2023, by and between

GRANTOR	GRANTEE
M. KEITH GALLOWAY and ELIZABETH B. GALLOWAY, Married to Each Other	SCOTT L. SMITH, Unmarried
102 College Station Dr, Ste 3 #150 Brevard, NC 28712	20809 Lagoon Drive Cornelius, NC 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 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, parcel of land or condominium unit 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 or X does not include the primary residence of a Grantor.

Submitted electronically by "Ramsey, Pratt & Camenzind, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Transylvania County Register of Deeds.

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:

- 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.

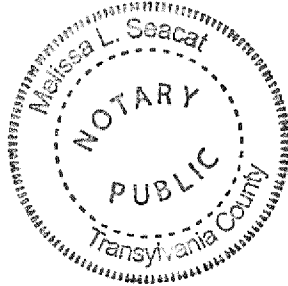
M. Keith Galloway (SEAL)
M. KEITH GALLOWAY

Elizabeth B. Galloway (SEAL)
ELIZABETH B. GALLOWAY

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: M. KEITH GALLOWAY and ELIZABETH B. GALLOWAY

WITNESS my hand and Notarial Seal, this the 4 day of January, 2023.



Melissa L. Seacat
Signature of Notary

Melissa L. Seacat
Printed or typed name of Notary Public

My commission expires: 5/28/24

EXHIBIT " A "

Being all of Tract 5-B, containing 7.17 acres, more or less, of B&C Ranch Tracts as shown on a plat thereof recorded in Plat File 10, Slide 244, Records of Plats for Transylvania County.

There is also conveyed hereby and herewith a right-of-way for road and utility line purposes to the public road over and along the 60 foot wide right-of-way of Tower Road which connects the land hereinabove described with the public road, with it being understood and agreed that the use of said road is subject to the terms of a road maintenance agreement recorded in Book 396, page 445, Records of Deeds for Transylvania County, and that said road right-of-way shall be for travel of all kinds, on foot and with all types of vehicles, with the right of ingress, egress and regress over and along the same in common with all others who are entitled to the use thereof.

It is further understood and agreed that in the event that any portion of the right-of-way of Tower Road extends across a tract of land over which the Grantor does have the right to convey a right-of-way for utility line purposes, the utility line right-of-way herein conveyed shall not be applicable to such tract of land. This conveyance is made subject to the rights-of-way of all roads which may currently traverse the property, to all road rights-of-way which may currently appear of record, to the rights-of-way of all utility lines which may currently traverse the property and to all rights of way for utility lines which may currently appear of record.

The property hereinabove described is conveyed subject to the same restrictive and protective covenants and easements which were attached as Exhibit "B" to a deed recorded in Book 401, page 662, Records of Deeds for Transylvania County. It is understood and agreed that the percentage of the 150 acre tract of land referred to in Item 6 in said restrictions is 50 percent.

Notwithstanding anything hereinabove set forth to the contrary, it is understood and agreed that Item 2 of the Restrictive and Protective Covenants and Easements hereinabove referred to has been changed to read as follows insofar as the same is applicable to each of the two tracts of land hereinabove described:

2. No tract may be subdivided into lots containing less than 2.5 acres. No dwelling other than one single family dwelling shall be located on any lot.

Being all of the same land described in a deed from M. Keith Galloway to M. Keith Galloway and wife, Elizabeth B. Galloway, recorded May 5, 2022, in the office of the Register of Deeds for Transylvania County in Document Book 1035, page 632.