



2019004488

TRANSYLVANIA CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED:

09-05-2019 12:08:50 PM

CINDY M OWNBEY  
REGISTER OF DEEDS

BY: BETH C LANDRETH  
ASSISTANT

BK: DOC 892

PG: 25-30

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$00.00

Parcel Identifier No. \_\_\_\_\_ Verified by \_\_\_\_\_ County on the 5 day of September, 2019  
By: DV

Mail/Box to: Ramsey & Pratt, P.A., 35 North Gaston Street, Brevard, NC 28712

This instrument was prepared by: MICHAEL K. PRATT - No Title Search Performed by Preparer

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 4 day of September, 2019, by and between

GRANTOR

DOUGLAS KEITH HARRIS and wife, ELLEN PRATT  
HARRIS

153 Franklin Street  
Brevard, NC 28712

GRANTEE

DOUGLAS KEITH HARRIS and ELLEN PRATT  
HARRIS, as Co-Trustees of The Harris Family Living  
Trust dated 9-4, 2019

153 Franklin Street  
Brevard, NC 28712

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 Brevard, Brevard and Cathey's Creek Townships, Transylvania County, North Carolina and more particularly described as follows:

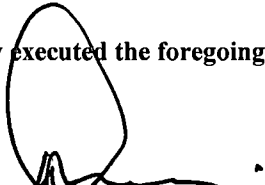
BEING ALL OF THE SAME LAND DESCRIBED ON THE PAGES WHICH ARE ATTACHED HERETO, DESIGNATED AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.


All or a portion of the property herein conveyed X includes or \_\_\_\_\_ does not include the primary residence of the Grantor. The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_ page \_\_\_\_\_. A map showing the above described property is recorded in Plat File \_\_\_\_\_ Slide \_\_\_\_\_.

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.

  
\_\_\_\_\_  
DOUGLAS KEITH HARRIS (SEAL)

  
\_\_\_\_\_  
ELLEN PRATT HARRIS (SEAL)

State of North Carolina - County of Transylvania

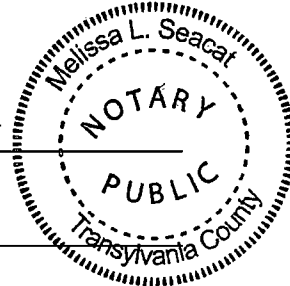
I, the undersigned Notary Public of the State and County aforesaid, certify that DOUGLAS KEITH HARRIS and wife, ELLEN PRATT HARRIS, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 4 day of September, 2019.

  
\_\_\_\_\_  
Signature of Notary Public

My commission expires: 5-28-24

Melissa L Seacat  
\_\_\_\_\_  
Printed or typed name of Notary Public



**EXHIBIT "A" TO A DEED FROM DOUGLAS KEITH HARRIS AND WIFE,  
ELLEN PRATT HARRIS, TO DOUGLAS KEITH HARRIS AND ELLEN  
PRATT HARRIS, AS CO-TRUSTEES OF THE HARRIS FAMILY LIVING  
TRUST DATED September 4, 2019**

**PARCEL I:**

Being all of the same land described in a deed from Donna Arlene Robinson (Single), Grantor, to Douglas Keith Harris and wife, Ellen Pratt Harris, Grantees, recorded on July 7, 1995, in Deed Book 389, Page 511, of the Transylvania County Registry, and the said land being more particularly described in the said deed as follows:

**BEGINNING** at an existing iron pin set at the North margin of the right-of-way for Franklin Street (a public street) near the center of a shared gravel drive and also marking the Southeast corner of the Russel property (see Deed Book 94, Page 76 Transylvania County Registry) running thence with the line of Russel North 31 deg. 47 min. 50 sec. West 174.23 feet to an existing concrete monument; thence leaving the line of Russel and running with the line of the Brevard Davidson River Presbyterian Church (see Deed Book 46, Page 101 and Deed Book 100, Page 302 Transylvania County Registry) North 55 deg. 44 min. 42 sec. East 100.04 feet to an existing concrete monument; thence leaving the line of the Brevard Davidson River Presbyterian Church and running with the line of Kilpatrick (see Deed Book 125, Page 195 Transylvania County Registry) South 51 deg. 00 min. 00 sec. East 177.35 feet to an existing iron pin set at the North margin of the right of way for Franklin Street; thence generally with the above referenced margin the following two (2) calls: (1)-South 49 deg. 18 min. 17 sec. West 79.27 feet to an existing iron pin; and (2)-South 59 deg. 04 min. 56 sec. West 79.97 feet to an existing iron pin being the point and place of **BEGINNING**, containing 0.52 acre as more particularly described and shown on an unrecorded survey and plat by Fulton V. Clinkscales, Jr., RLS, dated June 22, 1995, drawing #HNC-15367.

**BEING** all of Lot # 35 and Lot #36 of the Franklin Park Improvement Company as shown on a Plat recorded in Plat Book 1, Page 71, Transylvania County Registry.

**BEING** all of the property described in Deed Book 358, Page 729, Transylvania County Registry.

## PARCEL II:

Being all of the same land and other matters described in a deed from Charles H. Taylor and wife, Elizabeth O. Taylor, Grantors, to Douglas K. Harris and wife, Ellen Pratt Harris, Grantees, recorded on July 15, 2002, in Document Book 110, Page 586, of the Transylvania County Registry, and the said land and other matters being more particularly described in the said deed as follows:

**BEING all of Parcel No. 1, containing 6,219 square feet, as shown on that certain plat entitled "Southeastern Real Estate & Discount Company and Charles Taylor", recorded in Plat File 9, Slide 718 in the Office of the Register of Deeds of Transylvania County.**

**TOGETHER WITH a non-exclusive right of way for purposes of ingress, egress and regress being 4 feet in width, the Western boundary of which is described as beginning at the Northwesternmost point of Parcel No. 1 and proceeding South 28° 41' 12" West along the Northwestern boundary of Parcel No. 2 to the Westernmost corner of Parcel No. 2.**

**Grantor and Grantee shall each have the right to keep, maintain and repair the existing stone wall located along the eastern portion of the dividing line between Parcels 1 and 2 as shown on said Plat. Costs reasonably incurred in maintaining and repairing the wall shall be divided equally between the owners of Parcel 1 and the owners of Parcel 2.**

## PARCEL III:

Being all of the same land and other matters described in a deed from Mountain Brook Partners, LLC, Grantor, to Douglas K. Harris and wife, Ellen Pratt Harris, Grantees, recorded on February 2, 2007, in Document Book 392, Page 9, of the Transylvania County Registry, and the said land and other matters being more particularly described in the said deed as follows:

Being all of Lot 42 containing 1.039 acres, more or less, of Mountain Brook as shown on a plat thereof recorded in Plat File 11, Slides 966-971, Records of Plats for Transylvania County.

Together with a right of way to Country Club Road (NCSR 1113) over and along the subdivision roads shown on the recorded plat hereinabove referred to.

This conveyance is made subject to all easements and other matters shown on the recorded plat hereinabove referred to and to the Declaration of Restrictive and Protective Covenants for Mountain Brook recorded in the office of the Register of Deeds for Transylvania County in Document Book 384, page 311.

## PARCEL IV:

Being all of the same land and other matters described in a deed from Audie E. McCall and wife, Janet B. McCall, Grantors, to Douglas K. Harris and wife, Ellen P. Harris, Grantees, recorded on August 31, 2007, in Document Book 425, Page 325, of the Transylvania County Registry, and the said land and other matters being more particularly described in the said deed as follows:

## Tract 1:

BEGINNING at an iron pipe found, said iron pipe being in the line of the Reid and Compton property more particularly described in Deed Book 339, page 249, Transylvania County Registry and being the Southeastern corner of the Judith F. Blizzard property more particularly described in Deed Book 286, page 456, Transylvania County Registry and from said beginning point running thence with the Reid and Compton line the following two calls: South 87 degrees 24 minutes 46 seconds East 8.87 feet to an iron pipe found, South 87 degrees 24 minutes 46 seconds East 273.99 feet to an unmarked point in a ditch; thence along the ditch North 52 degrees 42 minutes 16 seconds East 119.43 feet to an unmarked point near the edge of the right of way for Grand View Drive; thence North 79 degrees 36 minutes 46 seconds West 349.12 feet to a rail road spike set in the pavement near the intersection of Outland Avenue and Grandview Drive; thence South 51 degrees 21 minutes 39 seconds West 26.02 feet to an iron pipe found in the driveway leading to the subject property; thence North 86 degrees 00 minutes 42 seconds West 16.33 feet to a rail road spike set, said point being the Northeastern corner of the Blizzard property; thence with the Blizzard property the following two calls: South 14 degrees 31 minutes 38 seconds East 29.09 feet to an iron pipe found, South 03 degrees 31 minutes 15 seconds West 79.42 feet to the point of BEGINNING. Being 0.79 acres, more or less, as surveyed and shown on an unrecorded plat thereof by E. Roger Raxter, RLS, dated 02/26/96 and designated drawing number 960158.

Excluding the 0.11 acres conveyed by Deed at Book 38, Page 86.

## Tract 2:

BEGINNING at an unmarked point in a ditch, said point being the Southeastern corner of Tract 1 described hereinabove and from said beginning point running thence South 87 degrees 24 minutes 46 seconds East 15.76 feet to a 1 ¼ inch rod found in a fence, said point being the Southwestern corner of the Carolyn L. Winchester property; thence from the Winchester property North 50 degrees 05 minutes 15 seconds East 112.00 feet to an iron rod set; thence North 39 degrees 36 minutes 46 seconds West 6.75 feet to an unmarked point, said point being the Northeastern corner of Tract 1 described herein above; thence with line of Tract 1 South 52 degrees 42 minutes 16 seconds West 119.43 feet to the point of BEGINNING.

Grantors grant no warranties as to Tract 2 described hereinabove.

## Tract 3:

BEGINNING on iron rod the South East corner of a tract this day conveyed to Audie E. McCall et ux Janet B. McCall, thence running from said BEGINNING point and with the line of property owned by Audie E. McCall as described in Deed Book 400 pg. 341 in the Transylvania County Registry, South 87 deg. 24 min. 46 sec. East 242.85 feet to an unmarked point in the center of a ditch line; Thence with the center of the ditch line South 42 deg. 35 min. 48 sec. West 130.89 feet to an unmarked point in the center of a ditch line; thence North 77 deg. 26 min. 30 sec. West 10.46 feet to an iron rod; thence North 77 deg. 26 min. 30 sec. West 151.14 feet to an iron rod; Thence North 02. Deg. 56 min. 39 sec. East 72.27 feet to an iron rod the point and place of BEGINNING. Containing 0.42 acres more or less as surveyed and platted by Roger Raxter, R.L.S. June 17, 1997.

This property is conveyed subject to a right of way for electric, water and sewer utilities including and particularly a sewer line that is shown on the plat of the subject premises and is further, conveyed, subject to all matters and things as shown on the plat of the subject premises here and above referred to.

No party dealing with the Trustee 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 Trustee 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 Trustee; 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.