

Type: WD
Kind: WARRANTY DEED
Recorded: 7/15/2022 9:01:00 AM
Fee Amt: \$426.00 Page 1 of 3
Transfer Tax: \$401.00
Fannin Co. Clerk of Superior Court
DANA CHASTAIN Clerk of Courts

Record and Return to:
Weissman PC
5909 Peachtree Dunwoody Road, Suite 100
Atlanta, GA 30328

Participant ID(s): 2979894615,
7067927936

BK 1515 PG 635 - 637

File No.: W-15272-22-WO

Parcel ID: 0029-024, 0035 A 053, 0035 A 142 and 0035 A 055



LIMITED WARRANTY DEED

**STATE OF GEORGIA
COUNTY OF CHEROKEE**

THIS INDENTURE, made this 13th day of July, 2022 by and between **Nick Gustafson**, as party or parties of the first part, hereinafter called Grantor, and **Joseph Fazzino, Jr. and Samantha Fazzino**, as JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP and not as tenants in common, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to-wit:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE HERETO

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said described property.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through, or under Grantor herein.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and is the intention of the parties hereto to hereby create in Grantee a joint tenancy estate with right of survivorship and not as tenants in common.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered
in the presence of:



Unofficial Witness



Notary Public



Nick Gustafson (Seal)

My Commission Expires: 12/28/2022

**DYLAN MUSIC
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184048874
MY COMMISSION EXPIRES 12/28/2022**



EXHIBIT "A"

File No.: W-15272-22-WO

All that tract or parcel of land lying and being in the 7th District, 1st Section, Land Lot 215 of Fannin County, Georgia, and being more particularly described as follows:

Beginning at the Northwest corner of the property herein conveyed at a 4 inch by 4 inch marble marker being a Forest Service land corner on the West original line of Land Lot No. 215, said point of beginning also being the Northwest corner of Lot No. 1 in Block D on a plat filed in Plat Book 4, Page 308, records of the Office of the Clerk of Superior Court of Fannin County, Georgia; from said point of beginning running thence South 86 degrees 26 minutes East a distance of 100.50 feet to an iron pin on the North side of the dead end of Creek Drive; thence running South 01 degrees 13 minutes East to the South side of the dead end of Creek Drive; thence running South 86 degrees 26 minutes East with the South side of said Creek Drive 100.50 feet to an iron pin, this point being the Northeast corner of the property herein conveyed; thence running South 01 degrees 13 minutes East a distance of 185 feet, more or less, to an iron pin at branch; thence continuing South 01 degrees 13 minutes East 120 feet, more or less, to an iron pin on the North side of Sourwood Drive, this point being the Southeast corner of the property herein conveyed; thence running with the North side of said Sourwood Drive North 83 degrees 15 minutes West 201.80 feet to an iron pin at original line on the West side of Land Lot No. 215; thence running North 01 degrees 13 minutes West with said original line 130 feet, more or less, to an iron pin at branch; thence continuing North 01 degrees 13 minutes West with said original line 50 feet, more or less, to the iron pin at the Southwest corner of Lot 1, Block D, aforesaid; thence continuing North 01 degrees 13 minutes West with said original line which is also the West line of said Lot 1, Block D, a distance of 125 feet to the point of beginning and containing 1 1/3 acres, more or less, said property is illustrated on a plat dated July 12, 1971, filed in Plat Book 4, Page 307, Fannin County, Georgia Records, being improved with an A-frame structure.

The above-described property is subject to all existing easements, restrictions, reservations, rights of way and other matters of title of record, including but not limited to the matters shown below (if any):

All easements, restrictions and rights-of-way as shown on plat recorded in Fannin County Records in Plat Book 4, Page 307.

Restrictions shown in Warranty Deed recorded in Fannin County Records in Deed Book 40, Page 728 and Deed Book 58, Page 344.

Well and Pump Usage Agreement recorded in Fannin County Records in Deed Book 807, Pages 245-251 [see Quit claim Deed dated March 20, 2021 from Richard J. Sjoblom to Lester Bragg, recorded March 22, 2021 in Deed Book 1414, Pages 70-71, Fannin County Deed Records].

Easements Deed recorded in Fannin County Records in Deed Book 24, Page 237.

Riparian rights, if any, of others in and to water located on or adjacent to the above-described property.

JF

SF

Declaratory, Fannin County, Georgia Superior Court

WARRANTY DEED (Box 1099-2)—Rev. 1978 at 1:30 P.M. Recorded April 21, 1977

DEED OF CORRECTION State of Georgia, Fannin County

THIS INDENTURE, Made this 13th day of April in the year of our Lord One Thousand Nine Hundred and Seventy-Seven between TOCCOA PROPERTIES, INC. of the County of Lowndes and State of Georgia of the first part, and

EARL W. KENNEDY, JR. of the County of Floyd and State of Georgia of the second part:

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable considerations --- Dollars, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part y of the second part his heirs and assigns, all the following described property, to wit: All that tract or parcel of land lying and being in the 7th District and 1st Section of Fannin County, Georgia, being a part of Land Lot No. 215, more particularly described as follows: BEGINNING at a point marked by an iron stake located on the western boundary of L.L. 215 centerways a stream, said point being approximately 175 feet south 01 degree 13 minutes east of a 4 inch by 4 inch marble marker (said marble marker forming a corner of Forest Service land), and from said point of beginning continue South 01 deg. 13 minutes East a distance of approximately 130 feet to an iron stake located on the northern margin of a camp road known as Sourwood Drive; thence South 83 degrees 15 minutes East a distance of 201.80 feet to an iron stake; thence North 01 degree 13 minutes West a distance of approximately 120 feet to a point centerways the above mentioned stream; thence westerly along said stream a distance of approximately 202 feet to the point of beginning. The above described property is illustrated on a plat dated July 12, 1971 and filed in Plat Book 4, page 307, Fannin County Records. The above described property is a portion of that property conveyed by warranty deed dated March 4, 1971 from W. E. Griffin and Joe Sisson to Toccoa Properties, Inc., recorded in Deed Book 39, page 745, Fannin County Records.

- The above described property is conveyed subject to the restrictive covenants below:
1. Sewage disposal will be by septic tank and drain field only.
2. Mobile homes and concrete block construction is prohibited except that concrete blocks may be used in foundations and chimneys.
3. The party of the first part reserves the right to have installed a power line along the adjoining camp roads including the right to accomplish essential clearing for said power line.

THIS DEED IS EXECUTED FOR THE PURPOSE of correcting a warranty deed between these same parties dated August 7, 1971, recorded August 21, 1971 in Deed Book 40, page 728, Fannin County Records, wherein said prior deed the reference to the recording page of the plat was shown as page 306 and should have been shown as page 307 of Plat Book 4; and in addition, said prior deed was not properly executed by the officers of said corporation in that their title was not shown and the corporate seal was not affixed. Therefore this deed is executed to correct said prior deed. By execution of this Deed of Correction W. E. Griffin and P. Joe Sisson do affirm that they are the duly elected President and Secretary of Toccoa Properties, Inc. and are authorized to execute this instrument on behalf of said corporation.

TO HAVE AND TO HOLD, The said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of Earl W. Kennedy, Jr. the said part y of the second part, his heirs and assigns forever in Fee Simple. And the said part y of the first part, for its successors and assigns forever defend the right and title to the above described property unto the said part y of the second part his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF the said part y of the first part has hereunto set its hand and affixed its seal the day and year first above written.

Signed, sealed and delivered in presence of:
Witness Ray E. ... Notary Public My Commission Expires: 4/15/80

TOCCOA PROPERTIES, INC.
W. E. Griffin, President
P. Joe Sisson, Secretary

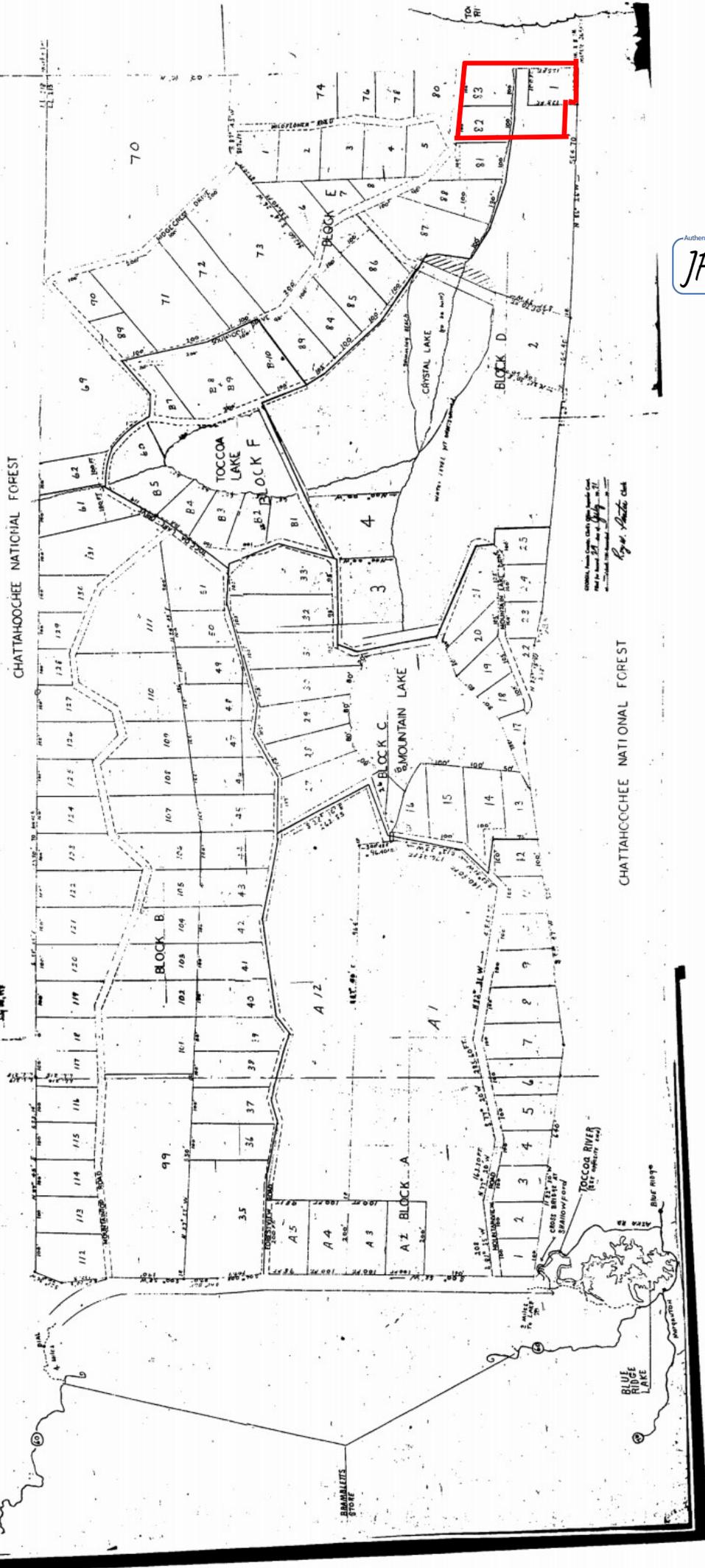
(Affix Notary Seal)

(Affix corporate seal)



TOCCOA PROPERTIES INC.
7TH DISTRICT, 1ST SECTION, LL 214 & 215
FANNIN COUNTY, GA.

Scale: 1 inch = 100 feet
Showing all water, surrounding swamp
- May 20, 1979



Authentisign
JF

Authentisign
SF

Surveyed by
G. P. ...

CHATTAHOOCHEE NATIONAL FOREST