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FILED Jan 17, 2023 02:04:01 pm
BOOK 01727
PAGE 1486 THRU 1489
INSTRUMENT # 00206
RECORDING \$26.00
EXCISE TAX \$230.00

FILED
CHEROKEE
COUNTY NC
KAREN WRIGHT
REGISTER
OF DEEDS
KMW

CHEROKEE COUNTY TAX CERTIFICATION
There are no delinquent taxes due that are a lien
against the Parcel Number(s) set forth in this deed.
Cherokee County Tax Collector
Date: 1-14-23 By: SS

WARRANTY DEED
DEED STAMPS: \$230.00

This instrument was prepared by David E. Cowan of the law firm of Cowan & Cowan, P.A. Title to the lands and/or interest in lands described herein is not certified unless a separate, written title opinion has been given to, or title insurance obtained for, the Grantees herein by said law firm.

Based upon information furnished by the Grantor(s) or their agents, the accuracy of which is not guaranteed by Cowan & Cowan, P.A., the mailing address of the Grantors is as stated after their name, and the property described in this deed ☐ includes ☒ does not include, the primary residence of a Grantor.

Pin Number: 452600734978000

State of North Carolina
County Of Cherokee

Title File No. 22-1189

This Indenture made the 12th day of January, 2023, by and between:

**MARGARET MUDD THOMAS and husband, JAMES THOMAS, and
SHIRLEY ANNE MUDD HOLT and husband, DAVID S. HOLT**
6424 Tokeneak Trail
Mobile, AL 36695

hereinafter called Grantors, and

**DENNIS W. PARKER and wife,
SHIRLEY W. PARKER**
607 Elizabeth Road SW
Jacksonville, AL 36265

hereinafter called Grantees, (said designations shall include the respective parties, whether one or more, individual or corporate, and their respective successors in interest or assigns).

Witnesseth; That the Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees, their heirs and/or successors and assigns, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinafter stated, if any), the following particularly described real estate, located in Cherokee County, North Carolina to-wit:

A certain tract of land situated in Beaverdam Township, Cherokee County, North Carolina and being more particularly described as follows:

BEGINNING at the centerline of a 12 foot graveled road known as State Route 1323; said point being located 0.4 miles from State Route 1322, said point also located North 31 26' 39" East a distance of 96.06 feet from an old stump called for in Deed Book 443, Page 4 in the Register of Deeds Office, Cherokee County, North Carolina; from said point of beginning and leaving the centerline North 31 26' 39" East a distance of 20.00 feet to an iron pin; thence North 31 26' 39" East a distance of 298.65 feet to a rock found at the top of a ridge; thence along with the top of the ridge North 30 48' 00" East a distance of 48.50 feet; North 55 40' 39" East a distance of 133.22 feet; South 68 40' 59" East a distance of 79.25 feet; North 76 33' 17" East a distance of 87.45 feet; North 65 48' 28" East a distance of 112.74 feet; thence North 21 39' 50" East a distance of 76.90 feet; North 64 30' 33" East a distance 90.98 feet; North 50 27' 08" East a distance of 118.47 feet; North 59 01' 04" East

a distance of 87.22 feet; North 76 46' 31" East a distance of 128.37 feet; South 70 41' 00" East a distance of 139.53 feet; South 67 54' 33" East a distance of 220.16 feet; North 02 03' 15" West a distance of 125.66 feet; thence North 03 41' 00" West a distance of 136.93 feet; North 04 54' 24" East a distance of 85.50 feet; North 42 47' 28" East a distance of 128.57 feet; thence North 29 35' 10" East a distance of 103.15 feet; North 30 36' 16" East a distance of 133.00 feet; North 09 41' 16" East a distance of 189.30 feet; North 20 28' 34" West a distance of 153.43 feet; North 42 48' 41" West a distance of 76.14 feet; North 84 47' 29" West a distance of 120.76 feet to an iron pin (said iron pin being located North 76 46' 35" East a distance of 155.80 feet from U.S.F.S. corner #2517); thence leaving ridge top North 76 46' 15" East a distance of 77.26 feet to a rock corner found (corner #3); thence South 06 34' 01" West a distance of 307.34 feet to a painted tree line along the top of a ridge; thence along with ridge top South 53 17' 16" East a distance of 154.72 feet; South 36 32' 59" East a distance of 181.37 feet; South 49 23' 22" East a distance of 48.72 feet; South 88 11' 09" East a distance of 164.98 feet; South 82 03' 38" East a distance of 151.08 feet; North 54 45' 24" East a distance of 39.89 feet; North 32 29' 30" East a distance of 74.21 feet; North 43 54' 00" East a distance of 97.14 feet; North 73 42' 39" East a distance of 89.53 feet; North 62 13' 45" East a distance of 94.18 feet; North 38 43' 55" East a distance of 291.43 feet; thence leaving the center of said ridge top South 05 29' 12" East a distance of 170.12 feet; South 17 28' 36" East a distance of 122.89 feet; South 08 08' 00" East a distance of 173.49 feet; South 26 51' 06" West a distance of 127.70 feet; South 22 20' 42" West a distance of 140.40 feet; South 26 06' 48" West a distance of 114.52 feet; South 31 12' 54" West a distance of 139.43 feet; South 21 13' 30" West a distance of 181.33 feet; South 25 51' 00" West a distance of 142.10 feet; South 34 47' 12" West a distance of 84.79 feet; South 36 50' 48" West a distance of 142.96 feet; South 35 37' 54" West a distance of 154.01 feet; South 58 32' 00" West a distance of 95.78 feet to an iron pin located on the East side of the aforementioned county road 1323; thence South 58 32' 00" West a distance of 19.48 feet to the centerline of said road; thence along with said centerline the following 21 calls and distances: in a right hand curve a distance of 77.71 feet subtended by chord North 28 40' 18" West a distance of 77.24 feet; radius = 203.96 feet; thence North 23 03' 33" West a distance of 186.27 feet; thence in a left hand curve a distance of 211.00 feet subtended by a chord North 40 06' 39" West a distance of 206.59 feet; radius = 297.13 feet; thence North 59 08' 01" West a distance of 72.38 feet; thence in a left hand curve a distance of 177.76 feet subtended by a chord North 83 13' 37" West a distance of 206.59 feet; radius = 184.16 feet; thence South 76 44' 41" West a distance of 198.73 feet; thence in a left hand curve a distance of 159.14 feet subtended by a chord South 56 52' 02" West a distance of 151.83 feet; radius = 150.49 feet crossing a stream; thence South 38 09' 13" West a distance of 102.13 feet; thence in a right hand curve a distance of 198.13 feet subtended by a chord South 52 23' 43" West a distance of 195.74 feet; radius = 367.23 feet; thence South 68 43' 06" West a distance of 291.32 feet; thence in a right hand curve a distance of 141.91 feet subtended by a chord South 73 00' 16" West a distance of 141.5 feet; radius = 605.35 feet; thence South 79 05' 33" West a distance of 68.46 feet; thence in a left hand curve a distance of 155.82 feet subtended by a chord South 68 49' 09" West a distance of 154.52 feet; radius = 347.63 feet; thence in a right hand curve distance of 140.01 feet subtended by a chord South 63 35' 14" West a distance of 139.53 feet; radius = 489.22 feet; thence South 74 54' 45" West a distance of 78.62 feet; thence in a right hand curve a distance of 130.25 feet subtended by a chord South 8 12' 51" West a distance of 129.28 feet; radius = 306.94 feet thence North 86 01' 48" West a distance of 121.52 feet; thence in a right hand curve a distance of 95.60 feet subtended by a chord North 81 08' 18" West a distance of 95.15 feet; radius = 284.95 feet; thence in a left hand curve a distance of 121.72 feet subtended by a chord North 83 54' 37" West a distance of 120.93 feet; radius = 307.68 feet; thence in a right hand curve a distance 249.22 feet subtended by a chord North 75 13' 52" West a distance of 244.28 feet; radius = 360.09 feet; thence North 60 45' 43" West a distance of 65.86 feet to the point of beginning. Containing 63.07 acres, more or less, as surveyed by Lane S. Bishop and Associates, North Carolina Registered Land Surveyor, No. L-2745, on survey plat for Charles L. King and wife, Mary L. King dated November 15, 1994, on file in the Register of Deeds Office, Cherokee County, North Carolina in Plat Cabinet C, Slide 184, to which reference is hereby made for further description and incorporated herein. Bounded on the North by the U.S.F.S., on the East by Levergood, on the South by Jenkins and N.C. Highway 1323 and on the West by Cole.

THIS PROPERTY IS CONVEYED ALONG WITH AND SUBJECT TO the rights of way and easements shown on the above referenced plat of survey.

SAVE AND EXCEPT the following five (5) tracts lands previously conveyed out of the hereinabove described tract:

- 1) 8.08 acres to Harold Taylor and wife, Annette Taylor (Tract 4 and 5), in Deed Book 827, Page 83, Cherokee County Registry.
- 2) 20.09 acres to Willard E. Lewis Sr., and Willard E. Lewis, Jr. (Tracts 7, 8, and 9), in Deed Book 827, Page 85, Cherokee County Registry.
- 3) 3.46 acres to Willard E. Lewis, Sr. and Willard E. Lewis, Jr. (Tract 3), in Deed Book 828, Page 86, Cherokee County Registry.

- 4) 5.64 acres to E. G. Cole and wife, Ada Cole (Tract 6), in Deed Book 840, Page 46, Cherokee County Registry.
- 5) 5.11 acres to Marshall Dugan and Clarence Morrow (Tract 2) in Deed Book 836, Page 145, Cherokee County Registry.

ALSO RESERVED AND CONVEYED HERewith is non-exclusive water rights to a reservior at the spring branch that is currently being used by John & Jean Jenkins. Also herein conveyed and reserved herewith is non-exclusive right of ingress and egress for maintenance of water lines and or water system to said reservior and to take water from the branch to fill reservior. If reservior is no longer used by the grantors herein or their successors and assigns in title, then the water rights shall revert automatically back to the Grantees herein.

THIS PROPERTY IS CONVEYED SUBJECT TO all roadway and utility easements of record.

THIS PROPERTY IS CONVEYED SUBJECT TO the right of way and easement for N.C.S.R. 1322.

FOR SOURCE OF TITLE reference Deed Book 1518, Page 1, Cherokee County Registry.

To Have and to Hold the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantees, their heirs and/or successors and assigns forever, (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinabove stated, if any).

And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any and all encumbrances (with the exceptions above stated, if any), and that they will and their heirs, executors, administrators and/or successors shall forever warrant and defend the title to said land and premises, with the appurtenances, unto the Grantees, their heirs and/or successors and assigns, against the lawful claims of all persons whomsoever.

In Witness Whereof each Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Margaret Mudd Thomas

(SEAL)

Margaret Mudd Thomas

James Thomas

(SEAL)

James Thomas

State of Alabama, County of Mobile

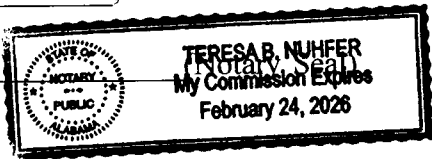
I, Teresa B. Nuhfer, a Notary Public for said County and State, do hereby certify that **Margaret Mudd Thomas and James Thomas**, being personally known to me, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him/her/them for the purposes stated therein.


WITNESS my hand and official seal, this the 14th day of January, 2023.

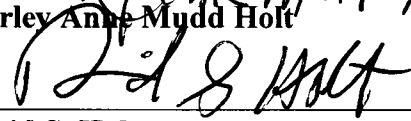
Teresa B. Nuhfer

Notary Public

My commission expires 02/24/2026



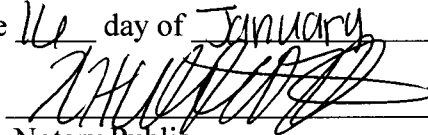

Shirley Anne Mudd Holt (SEAL)


David S. Holt (SEAL)

State of Georgia, County of Cobb

I, Xavier Hubbard, a Notary Public for said County and State, do hereby certify that **Shirley Anne Mudd Holt and David S. Holt**, being personally known to me, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him/her/them for the purposes stated therein.

WITNESS my hand and official seal, this the 16 day of January, 2023.


(Notary Seal)
Notary Public

My commission expires March 25, 2025

Prepared By
Cowan & Cowan, P.A.
Attorneys at Law
P.O. Box 579
Murphy, North Carolina
PHONE: (828) 837-2332

