

BK 2366 PG 828 - 830



Nov - 07 2023 CC

NORTH CAROLINA GENERAL WARRANTY DEED

Prepared by: Jonathan C. Mattox, a licensed North Carolina attorney.

Brief description for the Index: 28.25 acres

Parcel Number: 7587.13.9887 *(Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.)*

Excise Tax \$250.00

Does not include the primary residence of at least one of the Grantors. (NC GS § 105-317.2)

TITLE TO THE WITHIN DESCRIBED LANDS IS NOT CERTIFIED BY JONATHAN C. MATTOX OR BRIGHAM & MATTOX, PLLC UNLESS A WRITTEN TITLE OPINION IS RENDERED.

THIS DEED made this 7 day of November, 2023 by and between:

GRANTOR:	GRANTEE:
Cornelia Powell, single	Mark Allen Kennedy and Denise Marie Kennedy, a married couple
P.O. Box 1478 Cullowhee, North Carolina 28723	400 Big Raven Lane Saluda, North Carolina 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 River Township, Jackson County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by express reference.

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 said premises in fee simple and 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 except for the exceptions hereinafter stated.

Title to the property conveyed is subject to the following exceptions: Easements, restrictions and rights of way of record and utility lines and rights of way in existence over, under or upon the property conveyed by this deed and exceptions set forth herein.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Cornelia Powell (SEAL)
Cornelia Powell

County of Swain
State of North Carolina

I, a notary public, 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: **Cornelia Powell**.

Witness my hand and official seal, this 7 day of November, 2023.

[Signature]
Notary Signature (Must Match Name on Seal Exactly)

Affix Notary Seal:

Jonathan C. Mattox
Notary Printed Name (Must Match Name on Seal Exactly)

Date Commission Expires

JONATHAN C. MATTOX
NOTARY PUBLIC
Swain County
North Carolina
My Commission Expires Oct. 10, 2026

Exhibit A

BEING and comprehending the **28.25 acre tract** shown on the plat dated September 17, 2003, by Clark Lipkin, PLS, entitled "Plat for Richard Daniels Cedar Creek Farms," Project #160, recorded in **Plat Cabinet 14, Slide 21**, in the Office of the Register of Deeds for Jackson County, North Carolina, to which plat as so recorded reference is had, and being Lot Number H-30 of Cedar Creek Farms Subdivision.

Being the same property described in the deed from Cedar Creek Farms to Cornelia Powell, dated May 19, 2006 and recorded in Book 1590, page 15, Jackson County Registry.

TOGETHER WITH AND SUBJECT TO the right to use jointly with the party of the first part and all others who now have or may hereafter have the right to use the same, Cedar Valley Public Road, which forms a portion of the southern boundary of the lands herein conveyed.

TOGETHER WITH AND SUBJECT TO the joint, non-exclusive right to use, for purposes of ingress, egress and regress, the existing road from the state-maintained road to Cedar Creek Farms and all existing roads in the subdivision, with all parties having the right to use the same to pay his, her or its proportionate costs of the repair, inspection, maintenance and replacement of said roads.

SUBJECT TO the terms and provisions of those covenants, restrictions, easements, reservations, terms and conditions governing Cedar Creek Farms, Mountain [sic] Township, Jackson County, North Carolina, as recorded in Book 512, Page 126, Jackson County Public Registry, reference to which is hereby made.

SUBJECT TO the easement for right of way recorded in Book 1477, Page 437, Jackson County Public Registry, reference to which is hereby made.

THERE IS FURTHER CONVEYED to the party of the second part the same rights of the Developer as set forth in Paragraph numbers 5, 6, and 7 of those certain Covenants, Restrictions, Easements, Reservations, Terms, and Conditions Governing Cedar Creek Farms, Mountain Township, Jackson County, North Carolina, recorded in Book 512, Page 126, Jackson County Public Registry, as the same pertain to the lands herein conveyed, only.

 (SEAL)
Cornelia Powell