

Type: WARRANTY DEED
Recorded: 7/18/2024 3:27:44 PM
Fee Amt: \$516.00 Page 1 of 9
Revenue Tax: \$490.00
Jackson County, NC
Shandra Sims Register of Deeds

BK 2381 PG 96 - 104



Jul - 18 2024 CC

This instrument prepared by:
SMITH & MORGAN LAW, P.A.
Licensed North Carolina Attorneys
240 Skyland Drive
Sylva, North Carolina 28779

*Delinquent Taxes, if any, to be paid
by the closing attorney to the county
tax collector upon disbursement of
the seller proceeds.*

Brief Description for the Index:
Barkers Creek Township
1.58 acres +/-, PIN 7612-86-3461
2.85 acres +/-, PIN 7612-86-1662
0.34 acres +/-, PIN 7612-86-4218
0.74 acres +/-, PIN 7612-86-5458

Revenue \$490.00

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this the 17th day of July, 2024, by and between **MILTON JIMMIE BARBER** and wife, **PAMELA K. BARBER** of PO Box 1222, Whittier, NC 28789 and **LOUIE RICHARD BARBER, JR.** and wife, **KATHY BARBER**, of 11370 Jim Edwards Road, Haines City, Florida 33844 (hereinafter referred to as Grantor), and **DAVID R. NITZ**, and wife, **LYNN C. NITZ** of 44 Moonlight Trail, Bryson City, NC 28713 (hereinafter referred to as Grantee).

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH

The Grantor, for good and valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, has, and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all of that certain lot or parcel of land situated in Barkers Creek Township, Jackson County, North Carolina, and more particularly described as follows:

submitted electronically by "Smith & Morgan Law, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Jackson County Register of Deeds.

BEING AND COMPREHENDING four tracts of land and being more particularly described on attached **Exhibit A** which is fully incorporated herein.

AND BEING the same property conveyed unto the Grantor herein by deed recorded in Book 2341, Page 1312, Book 2341, Page 1725, Book 2378 at Page 1557 Jackson County Registry.

All or a portion of the property herein conveyed _____ includes, or X does not include the primary residence of a Grantor.

This conveyance is made subject to the lien for ad valorem taxes for the current year and all easements, restrictions and conditions of record and affecting said property.

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 except for the exceptions noted herein.

**(The remainder of this page intentionally left blank
and signatures begin on following page.)**

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, this the 17th of July, 2024.

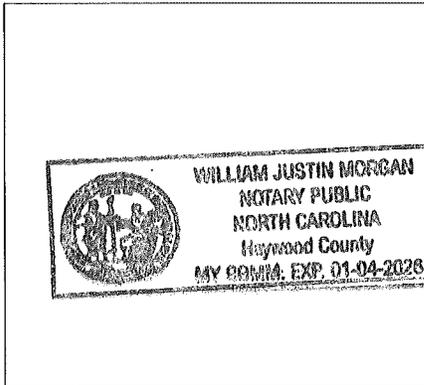
Milton Jim Barber (SEAL)
MILTON JIMMIE BARBER

STATE OF NORTH CAROLINA

COUNTY OF JACKSON

I, William Justin Morgan, a Notary Public, do certify that before me personally appeared **MILTON JIMMIE BARBER**, the person(s) who signed the preceding or attached record, acknowledging to me that he signed it voluntarily for its stated purpose.

Witness my hand and official seal this 17th day of July, 2024.

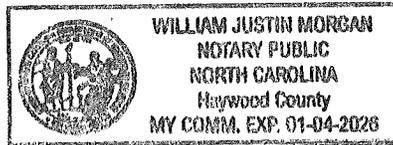


[NOTARIAL SEAL]
[Must be fully legible]

William Justin Morgan
Notary Public

[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 1-4-2026



th
16 IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, this the
17th of July, 2024.

PB

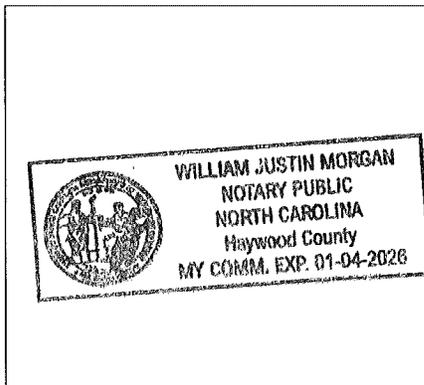
Pamela K Barber (SEAL)
PAMELA K. BARBER

STATE OF NORTH CAROLINA

COUNTY OF JACKSON

I, William Justin Morgan, a Notary Public, do certify that before me personally appeared **PAMELA K. BARBER**, the person(s) who signed the preceding or attached record, acknowledging to me that she signed it voluntarily for its stated purpose.

Witness my hand and official seal this 17th day of July, 2024.



[NOTARIAL SEAL]
[Must be fully legible]

Will. Just. Morgan
Notary Public

[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 1-4-2026

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, this the 16th of July, 2024.

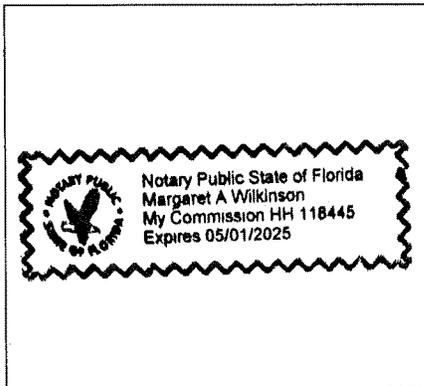
 (SEAL)
LOUIE RICHARD BARBER, JR.

STATE OF Fla

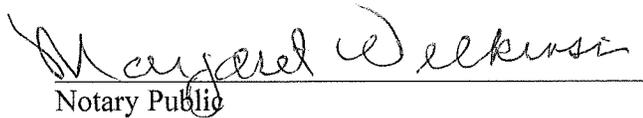
COUNTY OF Polk

I, Margaret Wilkinson, a Notary Public, do certify that before me personally appeared **LOUIE RICHARD BARBER, JR.**, the person(s) who signed the preceding or attached record, acknowledging to me that he signed it voluntarily for its stated purpose.

Witness my hand and official seal this 16th day of July, 2024.



[NOTARIAL SEAL]
[Must be fully legible]


Notary Public

[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 5-1-2025

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, this the 16th of July, 2024.

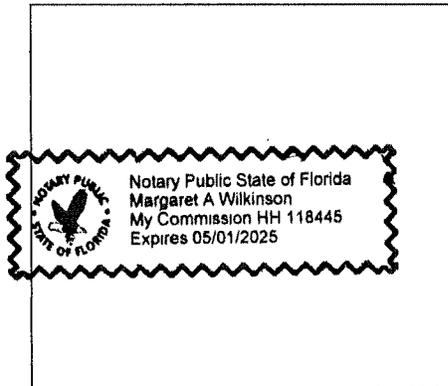
Kathy Barber (SEAL)
KATHY BARBER

STATE OF Fla

COUNTY OF Balk

I, MARGARET Wilkinson, a Notary Public, do certify that before me personally appeared **KATHY BARBER**, the person(s) who signed the preceding or attached record, acknowledging to me that she signed it voluntarily for its stated purpose.

Witness my hand and official seal this 16th day of July, 2024.



[NOTARIAL SEAL]
[Must be fully legible]

Margaret Wilkinson
Notary Public

[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 5-1-2025

EXHIBIT "A"

TRACT ONE:

BEING the same lands as described in Deed dated March 5, 1990, from Cornelius Ashe and wife, Ethel Ashe to Cornelius Ashe, Jr., and wife, Peggy June Ashe and recorded in Book 748, Page 619, Jackson County Public Registry.

BEGINNING at an existing iron pin in the center of a private road, the same being a corner common to Cornelius Ashe property as described by Deed recorded in Book 160, Page 130, Public Registry of Jackson County, and the Cornelius Ashe, Jr. property as described by Deed recorded in Book 569, at Page 62, Public Registry of Jackson County, and runs thence with Cornelius Ashe, Jr.'s present line N. 52-02-00 E. 215.58 feet to an 18 inch white oak; thence N. 49-30-056 E. 422.43 feet to an existing iron rod; thence N. 88-56-30 W. 761.96 feet to a point in the center of State Road #1398, said line passing near an existing iron pin at 251.70 feet, said iron pin being located N. 01-30-30 E. 1.65 feet from said line; thence with the center of State Road #1398, S. 22-35 E. 23.79 feet; thence leaving the center of said road and runs N. 89-42-00 E. 177.10 feet, passing an iron rod set at 24.74 feet; thence S. 33-27-50 E. 98.26 feet to an iron rod set; thence S. 02-54-40 W. 233.46 feet to an iron rod set; thence S. 26-22-30 E. 94.73 feet to the point of **BEGINNING**, containing **2.85 Acres**, more or less, as per survey prepared by G. L. Sprinkle, dated January 15, 1990.

There is **FURTHER CONVEYED** unto the Grantees, their heirs, successors and assigns, right of way over the existing private access road running from the above described lands to the state maintained road as the same is now located; together with the right of ingress, egress, and regress over, through and across the same for the purpose of constructing, maintaining, repairing, replacing, and inspecting said rights of way. Said rights of way to be used jointly by the parties hereto, their respective heirs, assigns, executors and administrators, and other such persons, firms or corporations having the right to use the same.

SUBJECT TO the right of way for the North Carolina Department of Transportation and the right of way of Nantahala Power and Light Company.

AND BEING the same property conveyed in a Deed dated August 24, 2022, from **CORNELIUS ASHE, JR.**, and wife **PEGGY JUNE ASHE**, unto **MILTON JIMMIE BARBER and wife, PAMELA K. BARBER**, recorded in Book 2341, Page 1312, Jackson County Registry.

TRACT TWO:

BEING 1.58 Acres, more or less, and a portion of the lands as described in Deed dated November 26, 1982, from Cornelius Ashe and wife, Ethel Ashe to Cornelius Ashe, Jr., and recorded in Book 569, Page 62, Jackson County Public Registry. **LESS AND EXCEPTING** any

lands heretofore conveyed.

TOGETHER WITH the right and easement to use jointly with parties of the first part, their heirs, assigns, and other grantees, the existing road from said lands to the public road, for ingress, egress, and regress.

SUBJECT TO the Reserved Right of Way for the old abandoned soil road located on the eastern boundary as set forth and further described in Deed recorded in Book 1016, Page 704, Jackson County Public Registry.

AND BEING the same property conveyed in a Deed dated August 24, 2022, from **CORNELIUS ASHE, JR.**, and wife **PEGGY JUNE ASHE**, unto **MILTON JIMMIE BARBER and wife, PAMELA K. BARBER**, recorded in Book 2341, Page 1312, Jackson County Registry.

TRACT THREE:

BEING AND COMPREHENDING a tract of land containing 0.34 Acre, more or less, and being all of Tract 3, as shown on a map or plat of a survey prepared by G.L. Sprinkle, R.L.S., dated April 30, 2019, entitled "Barkers Creek Township, Jackson County, North Carolina", and being drawing No. 3378CA, recorded in Plat Cabinet 23, Slide 369, Jackson County Registry.

There is **FURTHER CONVEYED** and this conveyance is made and given **SUBJECT TO** all rights of way, easements and other matters as shown on the above-referenced plat.

There is **FURTHER CONVEYED** the joint right to take water from the well, pump, and water system located on a 1.58 acre tract adjoining on the North owned by the Grantor, along with an easement for water lines and for ingress and egress for going upon said lands for inspecting, servicing and maintaining the well, pump, and water system and for the purpose of laying, inspecting, repairing and maintaining water lines from the water system to the lands of the said Grantee. It is understood and agreed upon the acceptance and recordation of this instrument that the Grantees, their heirs, assigns, executors and administrators, shall pay their prorata share of the cost of the maintenance of the well, water lines, and water system and accessories related thereto upon the commencement of construction of a dwelling on said Tract 3.

It is further understood and agreed that each party having the right to take water from the water system, as above described, shall bear all costs toward the installation, repair and maintenance of water pipelines leading from the water system to their respective lands.

There is **FURTHER CONVEYED** and this conveyance is made and given **SUBJECT TO** the joint use of that certain 10' road and right of way running along the southern line of Tract 3, herein, to the intersection of the 10' road with a joint 12' gravel road known as Cornelius Ashe Road, and running thence in a northern direction over the property of Theresa M. Rathbone and the Lyndon Childers property to the intersection of the 12' gravel road with NCSR 1398, Cornelius

Ashe Road, formerly known as Narrey Ward Road. There is **FURTHER CONVEYED** the right to use the joint road right of way conveyed in Book 2251, Page 1592, Jackson County Registry.

AND BEING the same property conveyed in a Deed dated August 25, 2022, from **DALLAS TAYLOR ASHE**, and wife **BRIDGET ASHE**, unto **MILTON JIMMIE BARBER and wife, PAMELA K. BARBER**, recorded in Book 2341, Page 1725, Jackson County Registry.

TRACT FOUR:

BEING AND COMPREHENDING a tract of land containing 0.74 acres, more or less, and being all of Tract 2, as shown on a map or plat of survey prepared by G.L. Sprinkle, R.L.S., dated April 30, 2019, entitled "Barkers Creek Township, Jackson County, North Carolina", and being Drawing No. 3378CA, recorded in Plat Cabinet 23, Slide 369, Jackson County Registry.

There is **FURTHER CONVEYED** and this conveyance is made and given **SUBJECT TO** all rights of way, easements and other matters as shown on the above-referenced plat.

There is **FURTHER CONVEYED** the joint right to take water from the well, pump and water system located on a 1.58 acre tract adjoining on the North owned by the Grantor, along with an easement for water lines and for ingress and egress for going upon said lands for inspecting, servicing and maintaining the well, pump and water system and for the purposes of laying, inspecting, repairing and maintaining water lines from the water system to the lands of the said parties of the second part. It is understood and agreed upon the acceptance and recordation of this instrument that the parties of the second part, their heirs, assigns, executors and administrators, shall pay their prorata share of the cost of maintenance of the well, water lines and water system and accessories related thereto upon the commencement of construction of a dwelling on said Tract 2.

It is further understood and agreed that each party having the right to take water from the water system, as above described, shall bear all costs toward the installation, repair and maintenance of water pipelines leading from the water system to their respective lands.

There is **FURTHER CONVEYED** and this conveyance is made and give **SUBJECT TO** the joint use of that certain 10' road and right of way running along the southern line of Tract 2 herein, and then over and across the southern line of Tract 3 as shown on plat recorded in Plat Cabinet 23, Slide 369, to the intersection of the 10' road with a joint 12' gravel road known as Cornelius Ashe Road, and running thence in a northern direction over the property of Theresa M. Rathbone, and the Lyndon Childers property to the intersection of the 12' gravel road with NCSR #1398, Cornelius Ashe Road, formerly known as Narrey Ward Road. There is **FURTHER CONVEYED** the right to use the joint road right of way conveyed in Book 2251, Page 1592, Jackson County Registry.

AND BEING a portion of the property conveyed in a Deed dated June 6, 2024, from **CORNELIUS ASHE, JR.**, and wife **PEGGY JUNE ASHE**, unto **MILTON JIMMIE BARBER and LOUIE RICHARD BARBER, JR.**, recorded in Book 2278, Page 1557, Jackson County Registry.