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BOOK _____ PAGE _____

1999 JUL 28 AM 11:07

1606 MADISON COUNTY
Jul 28 1999 \$550.00
STATE OF



Real Estate
Excise Tax

JENA LEE BUCKNER
REGISTER OF DEEDS
MADISON CO. N.C.

By: *Stephanie Payne, Dep.*

Excise Tax: \$550.00 Recording Time, Book and Page

Mail after recording to the Grantee at the following address:

*4243 Cameron Oaks Drive -
Charlotte, N.C. 28211*

This instrument was prepared by Edward B. Krause, Attorney at Law,
96 Central Ave., Asheville, NC 28801, 828-258-0220.

File #99-441

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 28 day of July, 1999, by and between

GRANTOR	GRANTEE
COLD MOUNTAIN HARDWOODS, INC. d/b/a COLD MOUNTAIN TIMBER	JOHN A. BURWELL and wife, MARCIA O. BURWELL

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 Madison County, North Carolina, and more particularly described as follows:

Containing 200 acres, more or less, and being the same property as described in Deed Book 79 at Page 574. (See attached Exhibit A for a more detailed description)

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 hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

This conveyance is SUBJECT to easements, restrictions, and property taxes for the current year, if any of record.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed by its duly authorized officers and its seal to be hereunto affixed, the day and year first above written.

ATTEST: COLD MOUNTAIN HARDWOODS INC.
d/b/a COLD MOUNTAIN TIMBER

Danny [Signature]
Secretary

By: *Harold [Signature]*
President

(CORPORATE SEAL)



EXHIBIT A

BEGINNING at a stake and ironwood pointers on top of a knob, as recently surveyed, runs down and with the height of Rock House Ridge as follows: S. 67° 30' E. 8 1/6 poles to a birch; thence S. 89° E. 11 poles to a poplar; thence N. 71° E. 9 poles to a chestnut oak; thence N. 70° 15' E. 10 3/5 poles to a locust; thence N. 40° E. 7 2/5 poles to a stake; thence N. 29° E. 18 2/5 poles to a chestnut; thence N. 47° E. 10 1/5 poles to a chestnut oak near the crooked oak; thence S. 86° 15' E. 11 poles to a chestnut oak; thence S. 85° 30' E. 6 poles to a chestnut oak; thence N. 76° 30' E. 24 1/6 poles to a locust in the Rock House Gap; thence N. 89° 15' E. 18 4/5 poles to a rock; thence N. 83° 30' E. 8 3/5 poles to a chestnut oak; thence S. 72° E. 10 3/10 poles to a chestnut at a rock; thence S. 87° 15' E. 10 poles to a locust; thence N. 70° 15' E. 8 4/5 poles to a locust; thence N. 72° E. 11 poles to a hickory; thence N. 88° 15' E. 8 4/5 poles to a locust by a maple; thence N. 86° 15' E. 8 4/5 poles to a locust by a maple; thence N. 86° 15' E. 6 1/5 poles to a spanish oak; thence S. 87° E. 8 1/5 poles to a locust; thence N. 52° E. 13 1/3 poles, crossing a rock to a chestnut; thence N. 44° E. 5 1/2 poles to a locust; thence S. 71° E. 7 poles to a locust; thence S. 81° E. 6 2/5 poles to a rock; thence N. 75° E. 9 1/2 poles to a locust; thence N. 86° E. 5 poles to a rock; thence S. 79° 30' E. 11 2/5 poles to a hickory; thence S. 83° E. 7 poles to a hickory; thence S. 83° E. 11 9/10 poles to a hickory; thence S. 84° 15' E. 12 3/5 poles to the first of two chestnut oaks; thence N. 58° 30' E. 12 poles to a chestnut oak; thence N. 82° 45' E. 17 1/2 poles to a locust; thence S. 74° 15' E. 6 3/5 poles to a locust; thence E. 6 2/5 poles to a locust; supposed to be in John Hipp's line; but if not in said line, thence continuing down and with said height of said ridge or said line; thence with said line to H. S. Davis' line; thence with said Davis' line to a black gum on top of a ridge, Zeb Davis' corner; thence with said Zeb Davis' line to a chestnut; thence reversing the former calls with H. S. Davis' line N. 87° W. to a stake; thence N. 74° 30' W. 13 poles to a chestnut; thence S. 61° W. 6 1/2 poles to a stake; thence S. 49° W. 5 poles to a pine; thence S. 40° W. 24 poles to a chestnut oak; thence S. 24° W. 21 poles to a chestnut; thence S. 45° 30' W. 6 1/2 poles to a stake with black pine pointers; thence S. 21° 30' W. 10 poles to a stake and sourwood pointers; thence S. 35° W. 14 poles to a stake; thence S. 19° W. 9 poles to a chestnut; thence S. 33° W. 4 poles to a chestnut; thence S. 24° 30' W. 10 1/2 poles to a chestnut; thence S. 17° 30' W. 10 1/2 poles to a stake; thence S. 10° 30' W. 4 poles to a stake; thence S. 11° E. 13 poles to a stake; with maple pointers; thence S. 25° 30' W. 9 1/2 poles to an oak; thence S. 8° 30' W. 11 1/2 poles to a stake; thence S. 2° W. 5 poles to a stake in Ferguson Heirs' line; thence S. 2° W. 15 1/2 poles to a stake; thence S. 30° 30' W. 13 poles to a marked oak; thence S. 28° 30' W. 15 3/4 poles to the BEGINNING as surveyed by Geo. E. Sprinkle, Surveyor, September 1, 1938, and containing 200 acres, more or less.

There is also conveyed by this deed a right of way 20 feet in width, for the use and benefit, especially as a means of egress and ingress for the foregoing described tract of land which is described as follow: Lying on the Southwesterly side of a line beginning at a point on Southwesterly side of Sugar Camp Branch, at the corner of the highway bridge, and running North 82° West 4 1/8 poles to a stake; thence South 66° West 5 poles to the margin of Rock House Branch; thence up and with said Westerly margin of said branch 25 3/5 poles to a point on the margin of said branch; thence crossing to the opposite side of said branch and running thence with the Northeasterly margin of said branch 14 poles to a point on the margin of said branch; thence crossing to the opposite side of said branch and running thence with the southwestwardly margin of said branch 10 4/5 poles to H. S. Davis' line;

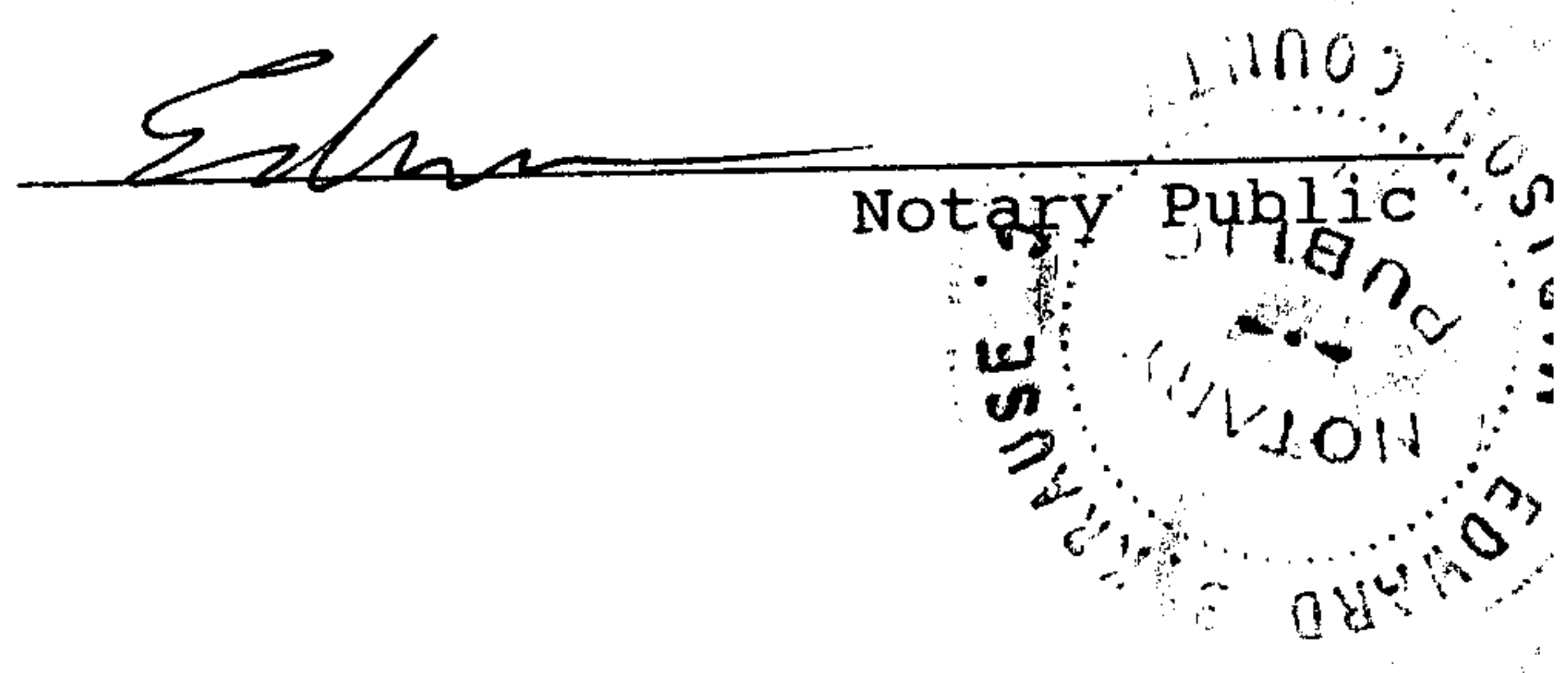
These being the same two parcels of land conveyed to B. C. Caldwell and F. B. Davis by those two deeds of record in Deed Book No. 64, page 74, and Deed Book 64, page 77, in the office of the Register of Deeds of Madison County, North Carolina, and the said F. B. Davis and wife, Anna Davis, having conveyed their one-half undivided interest therein to B. C. Caldwell on January 31, 1944, by deed of record in the office of Register of Deeds of Madison County, North Carolina, in Deed Book No. 70, page 392; and being the identical property conveyed to W. W. Rowland et ux, by B. C. Caldwell et ux. on October 25, 1950, by deed of record in the Office of Register of Deeds of Madison County, North Carolina, in Deed Book 79, page 574.

STATE OF NORTH CAROLINA, COUNTY OF Madison

I, a Notary Public of said State and County, certify that Penny Heather Ly personally came before me this day and acknowledged that he is Secretary of Cold Mountain Hardwoods, Inc., d/b/a COLD MOUNTAIN TIMBER, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by him self as its Secretary.

WITNESS my hand and Notarial Seal, this 28 day of July, 1999.

My commission expires:
7/26/2007



STATE OF NORTH CAROLINA, COUNTY OF MADISON

The foregoing certificate(s) of Edward B. Krause, a Notary (~~or Notaries~~) Public of the State and County designated is/~~are~~ certified to be correct.

This 28th day of July, 1999.

JENA LEE BUCKNER
REGISTER OF DEEDS FOR MADISON COUNTY
By: Stephanie Payne Deputy