

BK: CRP W-36
PG: 1609-1614
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08-07-2015
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BY: TODD RABY
REGISTER



2015004613
MACON COUNTY, NC
TODD RABY
REGISTER OF DEEDS

NC FEE \$28.00
STATE OF NC
REAL ESTATE
EXTX \$1454.00

STATE OF NORTH CAROLINA
COUNTY OF MACON



TRUSTEE'S DEED

Excise Tax: \$1,454.00
Parcel ID No. 7449088795, 7449088743, 7449089758, 7449180811, 7449088817, 7449088970, 7449089932, 7449089985, 7449186609, 7449185558, 7449184569, 7449184625, 7449184700, 7449183765, 7449183830, 7449183806, 7449182982

Prepared by: Matthew S. Roberson of Adams, Hendon, Carson, Crow & Saenger, P.A.
Return to: Adams, Hendon, Carson, Crow, & Saenger, P.A., P.O. Box 2714, Asheville, North Carolina 28802

THIS TRUSTEE'S DEED made this the 29th day of July, 2015, by and between Kimberly Coward, Substitute Trustee in the Deed of Trust hereinafter mentioned (hereinafter referred to as "Grantor"), and Patsey Crews, Trustee of the Wadsworth Bloxham Crews, A Minor, Trust and Patsey Crews, Trustee of the Crawford Corum Crews, A Minor, Trust (hereinafter referred to as "Grantees"), 3784 Harper Street, Houston, Texas 77005.

WITNESSETH:

WHEREAS, on January 29, 1988, Shelby Place, Ltd., executed and delivered to Joseph S. Bell, Trustee for Carolina Mountain Bank, a certain deed of trust which is duly recorded in the Office of the Register of Deeds for Macon County, North Carolina, in Book R-17 at Page 574 (the "Deed of Trust"), to which reference is hereby made;

WHEREAS, the Wadsworth Bloxham Crews, A Minor, Trust and the Crawford Corum Crews, A Minor, Trust are the present holders of the above-described Deed of Trust and the debt secured thereby;

WHEREAS, Grantor was appointed as Substitute Trustee by a certain Substitution of Trustee duly recorded in the Office of the Register of Deeds for Macon County, North Carolina, in Book S-36 at Page 1134;

WHEREAS, default having occurred in the payment of the indebtedness secured by said Deed of Trust, due demand was made on Grantor, by the owners and holders of the indebtedness secured by said Deed of Trust, that she foreclose on the said Deed of Trust and sell the real property under the terms thereof;

WHEREAS, under and by virtue of the power and authority vested in her by said Deed of Trust and according to the terms and conditions of the same, and having instituted a special proceeding before the Clerk of Superior Court of Macon County, North Carolina entitled "In the Matter of the Foreclosure of a Deed of Trust Executed by Shelby Place, Ltd., Grantor..." and bearing File No. 15 SP 84, and after due advertisement as required in said Deed of Trust and as required by law, and due and timely notice having been given to the parties to said special proceeding, and a proper hearing having been conducted on June 17, 2015, whereupon the Clerk of Superior Court of Macon County, North Carolina, authorized Grantor to proceed under said Deed of Trust and sell the real property as described in the Deed of Trust, and hereinafter described and conveyed, subject to prior liens, restrictions, unpaid taxes and special assessments, restrictions and easements of record and assessments, for sale at public auction at the Macon County Courthouse steps in Franklin, North Carolina, when and where the Wadsworth Bloxham Crews, A Minor, Trust and the Crawford Corum Crews, A Minor, Trust became the last and highest bidders for the land described herein at the total price of \$727,000.00;

WHEREAS, Grantor duly reported the land sale to the Clerk of Superior Court of Macon County, North Carolina as required by law, and thereafter said sale remained open ten days and no upset bid was placed thereon in the time allowed by law;

WHEREAS, Grantor has filed with the said Clerk a Final Report and Account showing all receipts and disbursements of Grantor, and said Clerk has audited and approved the said Final Report and Account; and

NOW THEREFORE, in consideration of the premises and the payment of said purchase price by Grantees, the receipt of which is hereby acknowledged, and pursuant to the authority vested in her by the terms of said Deed of Trust, Grantor does hereby bargain, sell, grant and convey to Patsey Crews, Trustee of the Wadsworth Bloxham Crews, A Minor Trust, a one-half (1/2) undivided interest as tenant in common and to Patsey Crews, Trustee of the Crawford Corum Crews, A Minor, Trust, a one-half (1/2) undivided interest as tenant in common, and their successors and assigns, all that certain real property lying and being in Macon County, North Carolina and more particularly described as follows:

TRACT I: BEGINNING at a point in the centerline of Picklesimer Road, in the Town of Highlands, North Carolina, in the southerly margin of the original tract [to locate said point of BEGINNING from U.S.C. and G. S. monument on Satulah Mountain (coordinates: N 494558.7; E 745427.8) run N 53° 41' 10" West, 6863.32 feet to an existing iron pin; S 86° 26' 20" East, 287.24 feet to an existing

iron pin; S 86° 28' 15" East, 409.99 feet to an existing iron pin; S 86° 24' 55" East, 266.53 feet to an existing iron pin; S 86° 26' 45" East, 224.90 feet] and runs thence from said point of BEGINNING with southerly margin of the original tract N 86° 26' 45" West 224.90 feet; N 86° 24' 55" West 266.53 feet; N 86° 28' 15" West, 409.99 feet; N 86° 26' 20" West, 287.24 feet to an iron pin, southwestern corner of original tract; thence with western margin of original tract N 02° 47' 00" East, 304.13 feet; N 02° 46' 10" East, 159.17 feet; N 02° 39' 15" East, 79.50 feet; N 02° 43' 05" East 38.22 feet to a point; thence leaving western margin of original tract, S 86° 52' 15" East, 699.23 feet; S 51° 13' 35" East, 450.00 feet; N 73° 44' 15" East, 482.91 feet to an iron pin in eastern margin of original tract; thence with eastern margin of original tract, S 04° 04' 15" West, 75.00 feet; S 13° 18' 40" East, 75.00 feet; S 30° 08' 20" East, 154.95 feet; S 40° 10' 40" East, 60.00 feet; S 84° 10' 40" East 159.95 feet; S 84° 10' 40" East, 26.00 feet to a point in the centerline of Cook Road; thence with centerline of Cook Road, S 29° 02' 20" East, 147.72 feet; S 36° 13' 45" East 57.00 feet; S 78° 49' 10" East, 62.00 feet to a point in the center of the intersection of Cook Road and Potts Road in the Town of Highlands, thence continuing with the centerline of Potts Road the following courses and distances:

S 16° 31' 30" West, 35.69 feet;
 S 22° 56' 10" West, 35.13 feet;
 S 44° 35' 50" West, 34.67 feet;
 S 72° 45' 40" West, 45.89 feet;
 N 84° 26' 45" West, 45.20 feet;
 N 61° 07' 00" West, 50.09 feet;
 N 49° 42' 45" West, 50.49 feet;
 N 55° 23' 30" West, 50.04 feet;
 N 68° 06' 20" West, 33.17 feet;
 N 85° 16' 10" West, 51.42 feet;
 S 77° 48' 05" West, 50.09 feet;
 S 64° 10' 35" West, 30.68 feet;
 S 67° 15' 10" West, 50.80 feet;
 S 89° 04' 35" West, 44.69 feet;
 N 63° 12' 40" West, 41.76 feet;
 N 31° 34' 50" West, 77.62 feet;
 N 60° 43' 20" West, 32.59 feet;
 N 72° 55' 50" West, 149.22 feet;
 S 69° 31' 10" West, 40.20 feet;
 S 57° 25' 15" West, 43.31 feet to the point of BEGINNING.

Containing a portion of Lots 47, 49, 94 and 95 and all of Lots 50 thru 71 and 79 thru 93 of Shelby Place.

TRACT ii: BEGINNING at a point in the center line of N.C. Highway 28 at the center of intersection with the centerline of Cook Road, the same being the easternmost corner of the original tract, and runs thence with the centerline of

Cook Road and boundary of original tract, N 88° 57' 00" West, 70.00 feet; N 75° 53' 30" West, 55.00 feet; N 70° 20' 35" West, 200.00 feet; N 76° 43' 10" West, 46.00 feet; S 87° 43' 05" West, 44.00 feet to a point at the center of the intersection of Potts Road and Cook Road; thence continuing with the centerline of Potts Road and Cook Road; thence continuing with the centerline of Potts Road, also boundary of the original tract, N 53° 25' 35" West 92.38 feet; N 27° 32' 45" West, 84.85 feet; N 40° 18' 00" West, 57.00 feet; N 54° 13' 15" West, 66.96 feet; N 80° 45' 10" West, 35.02 feet; N 89° 07' 05" West, 15.80 feet; thence leaving centerline of Potts Road and continuing with the margin of original tract, S 12° 42' 55" West, 19.94 feet to an iron pin; thence leaving line of original tract, S 87° 49' 30" West, 146.95 feet; N 69° 16' 55" East, 677.99 feet to a point in the centerline of N.C. Highway 28; thence with centerline of N.C. Highway 28, S 16° 07' 00" East, 738.00 feet to the point of BEGINNING. Containing all of Lots 101 thru 106 of Shelby Place.

Tract I and II described herein contain 27.33 acres and are shown on a plat entitled "Shelby Place" prepared by Baldwin & Cranston Associates, Inc., RLS, and designated thereon "REMAINDER", according to the latest revision of said map dated June 3, 1986, the same being unrecorded.

This conveyance is expressly made subject to the terms and conditions of that certain instrument entitled "Declaration of Restrictive Covenants for Shelby Place", said instrument being dated July 1, 1982, and being recorded in Deed Book 0-14 at Page 10 of the Macon County Registry and also subject to the terms and conditions of that certain amendment entitled "Amendment to Declaration of Restrictive covenants for Shelby Place", dated November 22, 1982, and recorded in Deed Book V-14 at Page 69 of the Macon County Registry.

This conveyance is expressly made subject to rights of way for public roads including N.C. Highway 28 and municipal street of the Town of Highlands including Potts Road, Picklesimer Road, and Cook Road to their full legal widths.


This conveyance includes the right, jointly and in common with all others to whom said right may be conveyed, to the use of all existing private road rights of way within the subdivision known as "Shelby Place" located within the Town of Highlands as the same may appear upon plats thereof of record for Phase I, see Plat Cabinet I, Slide 309, Page 10 of the Macon County Registry and otherwise as may be necessary as a means of ingress to and from various subdivided lots which now or may in the future lie within foregoing Tracts I and II, presently designated "REMAINDER" of Shelby Place but which are intended to become Phase III.

Less and excepting those lots heretofore specifically conveyed by Shelby Place, Ltd to third party purchasers as may be recorded in the Office of the Register of Deeds of Macon County, including, but not limited to:

Deed Book	Page
D-26	377
Y-25	749
X-25	152
M-25	214
D-25	1283
C-25	2068
U-24	477
Q-24	1117
P-24	364
O-24	1247
R-23	1677
L-23	922
L-23	917
H-23	430
L-23	913
G-23	363
B-23	1317
B-23	1309
B-23	1319
Y-22	297
X-22	2381
E-22	262
N-21	2020
B-18	446
M-18	601
M-18	604
N-18	217
N-18	570
P-18	141
Y-35	296

TO HAVE AND TO HOLD the said land, together with all privileges and appurtenances as thereunto belonging unto said Grantees, their successors and assigns, forever, in as full and amply manner, as Grantor, Substitute Trustee, is authorized and empowered to convey the same.

IN WITNESS WHEREOF, Substitute Trustee of the aforesaid Deed of Trust, has hereunto set her hand and affixed her seal the day and year first above written.



 _____ (SEAL)

 Kimberly Coward

 Substitute Trustee

 211 Cashiers School Road

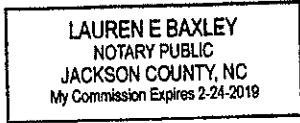
 Cashiers, NC 28717

STATE OF NORTH CAROLINA
COUNTY OF Jackson

I, Lauren E. Baxley, a Notary Public of the County and State aforesaid, certify that Kimberly Coward, the Substitute Trustee, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 29th day of July, 2015.

[Notarial Seal]



Lauren E. Baxley
Notary Public
Printed Name: Lauren E. Baxley
My commission expires: 2/24/19