

DEED & PLAT BOOK

PROJECT NUMBER:

TIP NUMBER: B-5385

COUNTY: CALDWELL

ROUTE: SR 1356 (Old Johns River Road)

BRIDGE NUMBER 123 OVER

ELIJAH ESTES MILL CREEK

January 2016

Deed Book Index

TIP No: B-5385

Project No:

County(s): CALDWELL

Project **Bridge No. 123 over Elijah Estes Mill Creek on SR**
Description: **1356 (Old Johns River Rd.)**

Property Owners	Deed Book / Page Num	Page Num
Ms. Suzanne F. Chester	1401 / 343	4
Mr. and Mrs. Douglas Q. Koontz	1859 / 1899	9
Upton Valley Nursery, Inc.	1062 / 1420	13
USA Forest Service	? / ?	N/A

Plat Book Index

TIP No: B-5385

Project No:

County(s): CALDWELL

Project Bridge No. 123 over Elijah Estes Mill Creek on SR
Description: 1356 (Old Johns River Rd.)

Property Owners	Plat Book / Page Num	Page Num
Ms. Suzanne Chester	20 / 165	16
Mr. and Mrs. Douglas Koontz	20 / 165	16

BOOK 1401
PAGES 343 - 347

Caldwell County, NC
Recorded 07/16/2002 03:20:21pm
No 9999-00040114 1 of 5 pages
Lois Greene, Register of Deeds

Excise Tax \$	Recording Time, Book and Page
Tax Lot No. _____ Parcel Identifier No. _____	
Verified by _____ County on the _____ day of _____, 20	
by _____	

Mail after recording to: **Ms. Hattie F. Franklin, 2854 Childers Nursery Circle, Connelly Springs, NC 28612**
This instrument was prepared by: **Wilson, Lackey & Rohr, P.C., 606 College Ave., SW, Suite B, Lenoir, NC 28645**

Brief Description for the index	John's River Township
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NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made July 12, 2002, by and between	
GRANTOR	GRANTEE
HATTIE F. FRANKLIN, widow and EMMA JEAN FRANKLIN, widow	HATTIE F. FRANKLIN 2854 Childers Nursery Circle Connelly Springs, NC 28612

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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 City of _____, **John's River Township, Caldwell County, North Carolina** and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book 733, Page 235 and Book 735, Page 494, Caldwell County Registry.

A map showing the above described property is recorded in Plat Book 20, Page 165, County Registry.

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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:

IN WITNESS WHEREOF, the 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.

(Corporate Name)

Hattie F. Franklin (SEAL)
HATTIE F. FRANKLIN

By:

Emma Jean Franklin (SEAL)
EMMA JEAN FRANKLIN

President

ATTEST:

____ (SEAL)

Secretary (Corporate Seal)

____ (SEAL)



NORTH CAROLINA, Caldwell County.
I, the undersigned, a Notary Public of the County and State aforesaid, certify that **HATTIE F. FRANKLIN, widow and EMMA JEAN FRANKLIN, widow**, Grantors, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 12 day of July, 2002.

My commission expires: 7-4-2005
Public Amy S. Presnell Notary

SEAL-STAMP

NORTH CAROLINA, _____ County.
I, the undersigned, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is _____ Secretary of _____, a North Carolina 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/her as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 2002.

My commission expires: _____ Notary
Public _____

The Amy S. Presnell foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Lois Greene REGISTER OF DEEDS FOR Caldwell COUNTY

By Margaret Wispower Deputy/Assistant-Register of Deeds.

EXHIBIT A

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Beginning on a control corner aluminum monument, U.S. Forest Service corner number 6, Tract 368 and running thence North 60° 17' 34" East to a ½ inch iron pipe at a painted rock laying flat on the west side of a Woods Road; thence North 31° 38' 53" West 265.32 feet to a ½ inch iron pipe near the forks of Eliza Estes Mill Creek and Rockingham Creek; thence North 18° 32' 29" West 137.59 feet to a ½ inch iron pipe; thence with the meanders of a ridge North 12° 54' 30" West 95.69 feet to a ½ inch iron pipe; thence North 21° 05' 52" West 121.36 feet to a ½ inch iron pipe; thence North 02° 53' 37" West 231.52 feet to a ½ inch iron pipe; thence North 22° 27' 29" West 195.54 feet to a ½ inch iron pipe; thence North 15° 25' 11" West 85.46 feet to a ½ inch iron pipe; thence North 32° 43' 53" West 195.48 feet to a ½ inch iron pipe; thence North 20° 58' 17" West 370.34 feet to a ½ inch iron pipe; thence North 11° 12' 22" East 182.12 feet to a painted rock control corner; thence South 73° 39' 26" East 1085.41 feet with a marked and painted line crossing a valley to a rock corner on the west side of Ridge Road; thence South 08° 52' 33" East 200.68 feet to a ½ inch iron pipe; thence with the meanders of a ridge South 00° 33' 10" West 94.84 feet to a ½ inch iron pipe; thence South 13° 34' 14" East 138.74 feet to a white pine corner (crossing an iron pin at 128.74 feet); thence South 27° 01' 46" East 75.95 feet to a ½ inch iron pipe; thence South 68° 50' 28" West 471.31 feet (crossing an iron pipe at 448.02 feet) to a ½ inch iron pin; thence with the centerline of a 45 foot wide roadway easement the following calls: thence a curved line in which CB = South 09° 18' 56" West, CD = 155.28 feet, AD = 157.05 feet and R = 301.558 feet to an iron pipe; thence South 24° 14' 07" West 112.74 feet to an iron pipe; thence a curved line in which CB = South 10° 33' 59" West, CD = 63.50 feet, AD = 64.11 feet and R = 134.336 feet to an iron pipe; thence a curved line in which CB = South 17° 17' 02" West, CD = 93.61 feet, AD = 95.617 feet and R = 134.366 feet to an iron pipe; thence South 37° 40' 12" West 145.877 feet to an iron pipe; thence a curved line in which CB = South 03° 06' 14" East, CD = 87.04 feet, AD = 94.848 feet and R = 66.64 feet to an iron pipe; thence South 43° 52' 40" East 129.41 feet to an iron pipe; thence a curved line in which CB = South 29° 24' 35" East, CD = 41.63 feet, AD = 42.078 feet and R = 83.317 feet to an iron pipe; thence South 14° 56' 30" East 88.83 feet to an iron pipe; thence a curved line which CB = South 10° 48' 16" East, CD = 70.55 feet, AD = 70.85 and R = 223.105 feet to an iron pipe; thence a curved line in which CB = South 03° 43' 35" East, CD = 15.72 feet, AD = 15.729 feet and R = 223.104 feet to a ½ inch iron pipe at the intersection of a creek in the centerline of said 45 foot wide roadway easement; thence leaving said center line South 31° 15'

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37" East 30.24 feet; thence South 41° 31' 52" East 41.28 feet; thence South 27° 51' 44" East 64.35 feet; thence South 20° 21' 58" East 95.45 feet; thence South 26° 11' 21" West 51.03 feet to a point in the centerline of the aforesaid 45 foot wide roadway easement; thence South 26° 11' 21" West 7.74 feet; thence South 5° 49' 02" West 66.62 feet; thence South 20° 30' 21" East 31.76 feet; thence South 48° 22' 41" East 27.28 feet; thence South 36° 25' 39" East 44.19 feet; thence South 51° 03' 06" East 93.13 feet; thence South 53° 28' 09" East 165.32 feet to a nail; thence North 73° 04' 11" East 49.94 feet; thence South 85° 44' 01" East 49.97 feet to a ½ inch iron pin; thence South 00° 06' 58" East 48.84 feet to an iron pipe; thence South 54° 38' 44" East 152.53 feet to a ½ inch iron pipe; thence South 27° 15' 04" West 121.48 feet to an iron pipe; thence South 52° 01' 44" West 19.63 feet to a ½ inch iron pin; thence North 51° 46' 54" West 283.86 feet to a ½ inch iron pin; thence North 55° 26' 36" West 11.36 feet; thence South 40° 09' 11" West 58.11 feet; thence South 39° 23' 21" West 207.11 feet; thence South 38° 44' 21" West 100.20 feet; thence South 46° 05' 49" West 75.87 feet; thence South 46° 05' 49" West 20 feet to a 14 inch walnut corner tree, U.S. Forest Service corner number 8 in Tract 36B; thence North 46° 16' 54" West 136.34 feet (crossing an existing corner at 40.08 feet) to a U.S. Forest Service aluminum monument corner number 7 of Tract 36B; thence North 05° 55' 11" West 121.82 feet with the meanders of a ridge to an iron pipe; thence North 06° 25' 06" East 77.77 feet to an iron pin; thence North 14° 05' 55" East 160.67 feet to an iron pin; thence North 27° 07' 35" West 272.90 feet to an iron pin; thence North 42° 22' 50" West 197.58 feet with the meanders of a ridge to an iron pin; thence North 25° 54' 35" West 95.70 feet to the point to beginning, containing 29.69 acres, more or less, according to a plat prepared by Hawkins Land Surveying, dated March 4, 2002, and recording in Plat Book 20, at Page 165 of the Caldwell County Registry.

It is the purpose of this deed to convey the property shown the aforesaid recorded plat and designated as Parcel 1.

EASEMENT:

There is included in this conveyance a perpetual easement for uninterrupted ingress and egress over, under and across the 45 foot wide roadway easement designated as easement "B" on the plat recorded in Plat Book 20 at Page 165 of the Caldwell County Registry. Use if this easement is not confined to the present uses of the tract conveyed herein or present means of transportation. The installation or maintenance by the Grantee, or assigns, of pipes, conduits, or wires, under, upon or over the easement premises is hereby granted and more specifically the uses of the

easement premises is for general utilities such as water lines, power lines, sewer lines, gas lines, cable television lines, telephones and the like. Exclusive use of the easement premises is not granted. The right to use the easement premises, likewise for ingress and egress is expressly reserved by Grantor. Grantee may improve the easement premises by preparation of a road, including, but not limited to grading, removal, addition, and displacement of dirt, application of gravel, asphalt, concrete or other road surface materials and by construction of bridges.

Being a part of the land described in Deed Book 733, at Page 235 and Deed Book 735, at Page 494 of the Caldwell County Registry, Reference is also made to Deed Book 229, at Page 22 of the Caldwell County Registry and to the following estate records in the office of the Clerk of Superior Court of Caldwell County: 78-E-257, 89-E-258 and 99-E-589.

Type: CONSOLIDATED REAL PROPERTY
Recorded: 11/12/2014 4:55:41 PM
Fee Amt: \$166.00 Page 1 of 4
Revenue Tax: \$140.00
Caldwell County, NC
WAYNE L RASH Register of Deeds

BK 1859 PG 1899 - 1902

Excise Tax \$ 140.00	
Tax Lot No. _____	Parcel Identifier No. _____
Verified by _____	County on the _____ day of _____, 20____. By _____
☐ YES ☒ NO DOES PROPERTY INCLUDE THE PRIMARY RESIDENCE OF GRANTOR? This is in accordance with NCGS: 105-228.32 & 105-317.2	
Mail after recording to ROBERT E. HODGES, 203 East Union Street, Morganton, NC 28655	
This instrument was prepared by: Robert E. Hodges, Attorney, 203 East Union Street, Morganton, NC 28655	
Brief Description for the Index	Parcel 2, PB 20, page 165

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made **November 12, 2014**, by and between

GRANTOR
EMMA JEAN FRANKLIN, widow

2319 Macy Lane
Lenoir, NC 28645

GRANTEE
DOUGLAS Q. KOONTZ and wife,
ANGELA M. KOONTZ

2657 Antioch Rd
Morganton, NC 28655

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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 John's River Township, Caldwell County, North Carolina and more particularly described as follows:

Beginning on a 1 inch iron pin which is in a stump hole previously a 42 inch hemlock and is corner number 5 of the U.S. Forest Service Tract number 389 and running thence North 64° 11' 57" East 53.03 feet to a point in the center of John's River; thence with the center of John's River South 39° 03' 54" East 255.09 feet, South 06° 10' 48" East 199.68 feet and South 16° 06' 46" East 123.67 feet; thence leaving John's River South 70° 05' 30" West 39.85 feet to a 1 1/2 inch iron pin at a control corner; thence continuing South 70° 05' 30" West 25.69 feet to the centerline of John's River Road; thence with the centerline of said John's River Road the following

Submitted electronically by "Grimm Paralegal Services"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Caldwell County Register of Deeds.

calls: South 08° 36' 50" West 60.89 feet, South 24° 46' 40" West 49.98 feet, South 47° 01' 00" West 49.98 feet, South 71° 22' 20" West 49.98 feet, North 89° 17' 50" West 49.98 feet, North 84° 24' 10" West 49.98 feet, North 88° 40' 50" West 74.97 feet, South 88° 52' 20" West 271.39 feet, South 86° 41' 50" West 99.96 feet, North 87° 16' 20" West 49.98 feet, North 81° 55' 40" West 99.96 feet, South 85° 44' 01" West 49.97 feet and South 73° 04' 11" West 49.94 feet to a nail in a bridge over a creek; thence with the centerline of the creek the following calls: North 53° 28' 09" West 165.32 feet, North 51° 03' 06" West 93.13 feet, North 36° 25' 39" West 44.19 feet, North 48° 22' 41" West 27.28 feet, North 20° 30' 21" West 31.76 feet, North 05° 49' 02" East 66.62 feet, North 26° 11' 21" East 7.74 feet, North 26° 11' 21" East 51.03 feet, North 20° 21' 58" West 95.45 feet, North 27° 51' 44" West 64.35 feet, North 41° 31' 52" West 41.28 feet and North 31° 15' 37" West 30.24 feet to a ½ inch iron pin located at the intersection of the creek and the centerline of a 45 foot wide roadway easement; thence with the centerline of said roadway easement the following calls: thence a curved line in which CB = North 03° 43' 35" West, CD = 15.72 feet, AD = 15.729 feet and R = 223.104 feet to an iron pipe; thence a curved line in which CB = North 10° 48' 16" West, CD = 70.55 feet, AD = 70.85 feet and R = 223.105 feet to an iron pipe; thence North 14° 56' 30" West 88.83 feet to an iron pipe; thence a curved line in which CB = North 29° 24' 35" West, CD = 41.63 feet, AD = 42.078 feet and R = 83.317 feet to an iron pipe; thence North 43° 52' 40" West 129.41 feet to an iron pipe; thence a curved line in which CB = North 03° 06' 14", CD = 87.04 feet, AD = 94.848 feet and R = 66.64 feet to an iron pipe; thence North 37° 40' 12" East 145.877 feet to an iron pipe; thence a curved line in which CB = North 17° 17' 02" East, CD = 93.61 feet, AD = 95.617 feet and R = 134.366 feet to an iron pipe; thence a curved line in which CB = North 10° 33' 59" East, CD = 63.50 feet, AD = 64.11 feet and R = 134.366 feet to an iron pipe; thence North 24° 14' 07" East 112.74 feet to an iron pipe; thence a curved line in which CB = North 09° 18' 56" East, CD = 155.28 feet, AD = 157.05 feet and R = 301.558 feet to an iron pipe; thence North 68° 50' 28" East 471.31 feet (crossing a iron pin at 23.29 feet) to an iron pin in the U.S. Forest Service line; thence South 09° 52' 59" East 87.25 feet to an iron pipe; thence South 13° 25' 26" West 181.05 feet to an iron pipe; thence South 15° 12' 10" West 313.38 feet to a rock corner; thence South 58° 40' 58" East 774.87 feet (crossing an iron pin at 741.51 feet) to the point of beginning, containing 29.69 acres, more or less, according to a plat prepared by Hawkins Land Surveying, dated March 4, 2002, and recording in Plat Book 20, at Page 165 of the Caldwell County Registry.

It is the purpose of this deed to convey the property shown on the aforesaid recorded plat and designated as Parcel 2.

EASEMENT:

There is included in this conveyance a perpetual easement for uninterrupted ingress and egress over, under and across the 45 foot wide roadway easement designated as easement "B" on the plat recorded in Plat Book 20 at Page 165 of the Caldwell County Registry. Use of this easement is not confined to the present uses of the tract conveyed herein or present means of transportation. The installation or maintenance by the Grantee, or assigns, of pipes, conduits, or wires, under, upon or over the

easement premises is hereby granted and more specifically the uses of the easement premises is for general utilities such as water lines, power lines, sewer lines, gas lines, cable television lines, telephones and the like. Exclusive use of the easement premises is not granted. The right to use the easement premises, likewise for ingress and egress is expressly reserved by Grantor. Grantee may improve the easement premises by preparation of a road, including, but not limited to, grading, removal, addition, and displacement of dirt, application of gravel, asphalt, concrete or other road surface materials and by construction of bridges.

BACK REFERENCE: Book 1401, page 339, Burke County Registry.

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:

Easements, rights of way, and restrictions of record, if any; and utility lines in existence under and over the subject property, if any.

IN WITNESS WHEREOF, the 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.

*Emma Jean Franklin by
Garrie C. Franklin POA* (SEAL)
Emma Jean Franklin

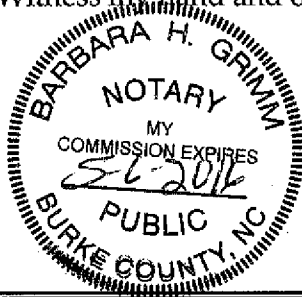
(SEAL)

NORTH CAROLINA

BURKE COUNTY

I, Barbara H. Grimm, a Notary Public, of the County and State aforesaid, do hereby certify that JEANIE CAROL FRANKLIN, Attorney in Fact for EMMA JEAN FRANKLIN, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing and annexed instrument for and in behalf of EMMA JEAN FRANKLIN, and that his/her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the Office of the Register of Deeds for Caldwell County, North Carolina, in Book 1859, Page 1673, on the 12th day of November, 2014, and that this instrument was executed under and by virtue of the authority given by said instrument granting him/her power of attorney; that the said JEANIE CAROL FRANKLIN acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said EMMA JEAN FRANKLIN.

Witness my hand and official seal, this the 12 day of November, 2014.



Barbara H. Grimm
Notary Public as aforesaid

My commission expires: 5-6-2014

Prepared by: Wayne M. Bach, P. O. Box 2428, Hickory, NC 28603

STATE OF NORTH CAROLINA

WARRANTY DEED

COUNTY OF CALDWELL

THIS WARRANTY DEED, made this 1st day of January, 1992, by and between TOMMY ALLEN WOODY and wife, GWENDOLYN G. WOODY, and CLYDE JUNIOR WOODY and wife, CAROLINE G. WOODY, of Caldwell County, North Carolina, hereinafter called the "Grantors", and UPTON VALLEY NURSERY, INC., of Route 8, Box 317, Lenoir, Caldwell County, North Carolina, hereinafter called the "Grantee";

WITNESSETH:

That the Grantor, for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, and other good and valuable consideration to him in hand paid by the Grantee, the receipt of which is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in Johns River Township, Caldwell County, North Carolina, described as follows:

SEE EXHIBIT "A" ATTACHED

DRAFTER OF THIS INSTRUMENT DID NOT SEARCH THE TITLE AND IS NOT THE CLOSING AGENT.

TO HAVE AND TO HOLD the above-described premises, together with all the appurtenances thereunto belonging or in any wise appertaining, unto the Grantee, his heirs and/or successors and assigns forever.

And the Grantor covenants that he is seized of said premises in fee and has the right to convey the same in fee simple; that said premises are free from encumbrances (with the exceptions above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

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

Tommy Allen Woody (SEAL)
TOMMY ALLEN WOODY

Gwendolyn G. Woody (SEAL)
GWENDOLYN G. WOODY

No Revenue

EXHIBIT "A"

Beginning on a monument; said monument located S 33°27'52"W, 21.86 feet from corner #8 of the adjoining United States Forest Service Tract and runs thence N 33°27'52"E, 21.86 feet to a Walnut U.S.F.S. corner #8; thence N 46°04'37"E, 95.68 feet to a point in the centerline of the Old John's River Road; thence with the centerline of said road the following three courses: N 38°43'10"E, 100.00 feet; N 39°22'10"E, 205.70 feet and N 40°08'E, 58.00 feet to a steel pin in the centerline of said road; thence leaving said road S 55°27'20"E, 11.36 feet to an iron set at a fence corner; thence with the fence S 51°47'47"E, 284.24 feet to an iron set at a fence corner; thence N 52°01'E, 19.63 feet to an iron; thence N 27°4'20"E crossing a creek at 112.48 feet and continuing 9.00 feet for a total of 121.48 feet to an iron; thence N 54°39'28"W, 152.60 feet to an iron; thence N 0°07'42"W, 48.86 feet to a steel pin in the centerline of the Old John's River Road and thence with the centerline of said road the following 11 courses: S 81°55'40"E, 100.00 feet; S 87°16'20"E, 50.00 feet; N 86°41'50"E, 100.00 feet; N 88°52'20"E, 271.50 feet; S 88°40'50"E, 75.00 feet; S 84°24'10"E, 50.00 feet; S 89°17'50"E, 50.00 feet; N 71°22'20"E, 50.00 feet; N 47°01'00"E, 50.00 feet; N 24°46'40"E, 50.00 feet and N 08°36'50"E, 60.92 feet to a steel pin in the centerline of said road; thence leaving the road N 70°05'30"E, 25.70 feet to an iron; thence same course 40.00 feet to a point in the centerline of John's River; thence with the centerline of John's River the following 12 courses: S 27°42'33"E, 177.12 feet; S 48°31'31"E, 198.35 feet; S 57°48'40"E, 146.18 feet; S 31°39'30"E, 37.67 feet; S 39°25'45"W, 77.45 feet; S 31°46'30"W, 128.27 feet; S 47°38'02"W, 98.39 feet; S 67°30'30"W, 189.33 feet; S 72°47'50"W, 364.49 feet; S 82°06'25"W, 123.81 feet; S 67°51'06"W, 231.31 feet; S 76°41'28"W, 188.18 feet; thence with the centerline of the Old River Run (now dry) the following four courses: S 80°55'57"W, 293.41 feet; S 85°14'47"W, 183.04 feet; S 58°30'42"W, 155.24 feet and S 37°55'42"W, 119.59 feet to the centerline of John's River; thence N 13°29'31"E, 91.45 feet to the centerline of John's River and the intersection of a creek; thence up the centerline of the creek the following four courses: N 49°15'30"W, 59.95 feet; N 29°47'27"W, 58.41 feet; N 20°59'38"W, 39.37 feet; N 34°26'11"W, 51.57 feet to a steel pin set in the centerline intersection of the road and the creek thence with the Old John's River Road N 45°11'20"E, 67.17 feet; N 47°03'47"E, 59.34 feet to a point (corner #9 of the United States Forest Service); thence with said Forest Service line N 33° 27' 52" E, 311.12 feet to the beginning, containing 25.63 acres, as surveyed by Mallonee Surveying, Inc. in October, 1984.

FILED
LOIS GREENE

92 MAY -5 AM 1:07
of our new E.D.
REGISTER OF DEEDS
CALDWELL CO. N.C.

Clyde Junior Woody (SEAL)
CLYDE JUNIOR WOODY

Caroline G. Woody (SEAL)
CAROLINE G. WOODY

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, Kimberly Marlowe Johnson, a notary public in and for said county and state, hereby certify that TOMMY ALLEN WOODY and wife, GWENDOLYN G. WOODY personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 21st day of April, 1992.

Kimberly Marlowe Johnson
Notary Public
My commission expires: 4-18-95

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

I, Kimberly Marlowe Johnson, a Notary public for Catawba County and said state do hereby certify that CLYDE JUNIOR WOODY and wife, CAROLINE G. WOODY, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 21st day of April, 1992.

Kimberly Marlowe Johnson
Notary Public
My Commission Expires: 4-18-95

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

The foregoing certificate(s) of Kimberly Marlowe Johnson
A Notary Public is certified to be correct.
This instrument was presented for registration this 5 day of May, 1992, at 11:07 o'clock A.M., and duly recorded in the Office of the Register of Deeds for Caldwell County in Book 1062 at Page 1420.

This 5 day of May, 1992.

Lois Greene By: Diane Dumas
Register of Deeds Deputy/Acting Register of Deeds

North Orientation Based on DB. 1062 Pg. 1420
A survey by L.A. Moloney entitled
"Property of Roger D. Franklin A/W Hattie F. Franklin"
Dated October 1984, and oriented to Magnetic North.
Orientation Based between Control Corners X and Y.



Curve/Bearing Table for Centerline 20' Easement "A"

A-1	N 15°46'58" E	20.90'
A-2	N 43°33'34" W	169.05'
A-3	N 57°07'38" W	101.53'
A-4	N 17°19'23" W	CD = 102.68' AD = 111.648' R = 80.355'
A-5	N 22°28'53" E	107.47'
A-6	N 20°58'33" E	CD = 75.68' AD = 75.888' R = 290.134'
A-7	N 02°50'41" E	CD = 104.48' AD = 111.928' R = 37.549'
A-8	N 19°14'41" W	CD = 141.26' AD = 143.237' R = 248.159'
A-9	N 02°42'33" W	158.16'
A-10	N 18°51'08" E	513.10'
A-11	N 04°19'44" E	208.45'
A-12	N 27°01'46" W	75.62'
A-13	N 13°34'14" W	141.16'
A-14	N 00°53'10" E	95.26'
A-15	N 03°09'21" W	100.34'

Curve/Bearing Table for Centerline 45' Easement "B"

B-1	N 38°40'28" E	61.78'
B-2	N 12°19'05" E	CD = 28.85' AD = 29.589' R = 32.487'
B-3	N 44°18'32" W	CD = 32.75' AD = 34.326' R = 32.487'
B-4	N 74°34'44" W	250.02'
B-5	N 40°38'35" W	CD = 204.68' AD = 211.284' R = 242.90'
B-6	N 22°19'17" W	CD = 20.51' AD = 20.514' R = 242.90'
B-7	N 19°54'07" W	187.53'
B-8	N 12°49'27" W	CD = 54.98' AD = 55.121' R = 223.104'
B-9	N 03°43'35" W	CD = 15.72' AD = 15.729' R = 223.104'
B-10	N 10°48'16" W	CD = 70.55' AD = 70.55' R = 223.105'
B-11	N 14°56'30" W	68.83'
B-12	N 29°24'35" W	CD = 41.63' AD = 42.078' R = 83.317'
B-13	N 43°52'40" W	129.41'
B-14	N 03°08'14" W	CD = 87.04' AD = 94.848' R = 66.64'
B-15	N 37°40'12" E	145.877'
B-16	N 17°17'02" E	CD = 93.61' AD = 95.617' R = 134.366'
B-17	N 10°53'59" E	CD = 63.50' AD = 64.11' R = 134.366'
B-18	N 24°14'07" E	112.74'
B-19	N 09°18'56" E	CD = 155.28' AD = 157.05' R = 301.556'

Curve/Bearing Table for Centerline 20' Easement "C"

C-1	N 11°33'32" W	CD = 62.57' AD = 62.682' R = 301.558'
C-2	N 05°46'31" W	CD = 84.04' AD = 84.635' R = 206.553'
C-3	N 06°12'39" W	CD = 78.78' AD = 79.355' R = 186.739'
C-4	N 11°47'35" W	CD = 86.41' AD = 86.605' R = 376.369'
C-5	N 05°12'06" W	99.30'
C-6	N 24°58'36" W	CD = 108.45' AD = 110.833' R = 180.274'
C-7	N 33°51'46" W	CD = 126.61' AD = 127.375' R = 335.113'
C-8	N 00°08'05" W	172.50'
C-9	N 18°09'15" W	27.51'
C-10	N 73°40'36" W	45.65'
C-11	N 31°07'32" W	62.98'
C-12	N 64°38'12" W	CD = 104.21' AD = 110.40' R = 94.34'
C-13	N 81°49'18" W	176.84'
C-14	N 68°36'30" W	110.97'
C-15	N 08°23'22" W	CD = 54.61' AD = 55.827' R = 76.982'
C-16	N 69°49'47" W	45.04'

Curve/Bearing Table for Easement "D" (20' Wide)

D-1	N 77°16'24" W	CD = 70.56' AD = 81.294' R = 44.728'
D-2	N 50°38'23" W	22.84'
D-3	N 23°08'13" W	CD = 44.19' AD = 45.835' R = 47.818'
D-4	N 22°20'24" W	CD = 51.71' AD = 53.659' R = 57.204'
D-5	N 33°45'50" W	45.04'
D-6	N 60°43'01" W	CD = 60.59' AD = 62.886' R = 66.84'
D-7	N 68°19'25" W	CD = 77.98' AD = 79.818' R = 107.12'
D-8	N 44°58'39" W	157.79'

Curve/Bearing Table for John's River Road.

E-1	N 10°38'22" W	71.13'
E-2	N 22°22'50" W	307.99'
E-3	N 29°37'57" W	CD = 203.94' AD = 204.487' R = 807.817'

- Deed Line
- Right of Way/Easement Line
- P-P- Overhead Utility Lines
- Building Setback Lines
- 1/2" Iron Pipe Set
- Unmonumented Point
- Existing Corner
- Existing Rock Corner
- Tree (Type Noted)

U.S. Forest Service

Mrs. John S. Franklin Tract 389
DB. 162 Pg. 487

NOTES:

No horizontal control located within 2000'.
Property shown hereon is subject to any Easements,
Right of Ways, and Restrictions of record. See DB. 937 Pg. 192
All areas shown hereon are derived by coordinate computations.
All distances shown hereon are horizontal measurement unless
indicated otherwise.

This Property is located in an area Zoned RA 20.

This property is subject to Building Setbacks as follows: Front 30', Side 10',
and Rear 25'.

The total area of the subdivided property is 59.38 Acres.

All easements shown hereon listed as Easements A,B,C, and D are to be left
open for the use of family members.

This survey meets the definition of Article VI Sect. 50.2 (b) of the Caldwell Co.
Subdivision Ordinance. (Parcels are greater than 10 Acres and no road right of
way dedication.) Thus it isn't defined as a subdivision.

Any further subdivision of the parcels shown hereon may be subject of road
improvements as per the Caldwell County Subdivision Ordinance.

No signed right of way was found for John's River Road, however NCDOT
claims right of way to the "Limits of Maintenance".

BOOK 20
PAGES 165 - 165

Caldwell County, NC
Recorded 07/05/2002 08:46:01am
No 9999-00039055 1 of 1 pages
Lois Greene, Register of Deeds

Cal Oweby
7-1-02

We hereby certify that We are the owners of the property
shown and described hereon and that we hereby adopt this plan of
subdivision with our free consent, establish minimum building lines,
and dedicate all roads, alleys, walks, porches, and other sites to public or
private use as noted. Further, We certify the land as shown hereon is
within the platting jurisdiction of Caldwell County.

Owner	Date
State of North Carolina	
County of Caldwell	

Cal Oweby, Review Officer of Caldwell
County, certify that the map or plat to which this
certification is affixed meets all statutory
requirements for Recording.

7-1-02 Date
Cal Oweby Review Officer

North Carolina
County of Caldwell

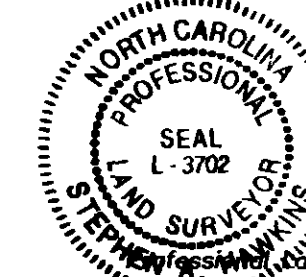
The foregoing certification of _____, a Review Officer
of Caldwell County, certifies that this Plat meets all statutory
requirements of Caldwell County for recordation and is hereby
presented for registration and recorded in this Office at

Plat Book _____, Page _____

This the _____ day of _____ at _____ o'clock _____ M.

I, Stephen A. Hawkins, PLS certify that this
plat was drawn by me from actual survey made
by me and information shown hereon that the
boundaries not surveyed are shown as broken lines
plotted from information shown hereon. That
the ratio of precision as calculated is 1: 7,037'
that this plat was prepared in accordance with
GS 47-30 as amended.

Witness my original signature, registration
number, and seal this 24th day of June, 2002.



I, Stephen A. Hawkins, PLS certify that this survey creates a
subdivision of land within the area of a county or municipality
that has an ordinance that regulates parcels of land.

Ref. DB.	735 733	Pg.	494 235	Tax IDH 04 4W115 1
Subdivision For Hattie F. Franklin & Emma Jean Franklin				
Township 4 Johns River			County Caldwell Co., N.C.	
HAWKINS LAND SURVEYING P. O. BOX 1684 MORGANTON, N. C. 28680 PHONE 828-438-8378				
Scale 1" = 200'			990504.CRD & FRNKFARM.PL	
Survey By		SA Hawkins, J.D. Yancy & W.B. Moore		Estate File #78-E-257
Date		4 March 2002		PIN #1891964132

200 0 200 400 600
GRAPHIC SCALE - FEET

Owners Hattie F. Franklin and Emma Jean Franklin