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Issued Jul 06 2006
\$360.00
State of MADISON
North Carolina County
Real Estate Excise Tax

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by: Susan Rector
Register of Deeds

EXCISE TAX: \$360.00

MAIL AFTER RECORDING TO: BALEY & BALEY, P.A., Attorneys
17 N. Market St, Ste 201, Asheville, NC 28801

PREPARED BY: James M. Baley, III, Esq., BALEY & BALEY, P.A.,
FROM INFORMATION SUPPLIED - NO TITLE EXAMINATION

BRIEF DESCRIPTION FOR INDEX: Various Tracts designated as Dockery/Mouth of Ivy,
Little Pine (now Redmon Rd), Hill Street and vacant lot-Old Asheville Hwy.

PARCEL ID NO:

STATE OF NORTH CAROLINA

EXECUTRIX'S DEED

COUNTY OF MADISON

THIS DEED, made this the 6th day of July, 2006

by and between

GRANTOR	GRANTEE
IMOGENE RUDISILL, Executor of the Estate of CRAIG L. RUDISILL, JR., deceased	CLINTON L. RUDISILL 317 Palomar St. Fayetteville, NC 28314

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 WHEREAS, Craig L. Rudisill, Jr., died March 14, 2005, leaving a Last Will and Testament which is duly probated and recorded in the office of the Clerk of Madison County, North Carolina, in Estate File No 05 E 60, therein naming Imogene Rudisill as his Executrix; and

WHEREAS, said Imogene Rudisill has duly qualified and is now acting as Executrix; and

NOW, THEREFORE, said Grantor, Imogene Rudisill, acting as Executrix as aforesaid, pursuant to the provisions of the Last Will and Testament of Craig L. Rudisill, Jr., does hereby convey unto the Grantee, his heirs and assigns, all of the Grantor's interest in and to those certain lands lying and being in Madison County, North Carolina, and being more particularly described on Schedule "A" (Legal Description) attached hereto and incorporated by referenced in its entirety.

TO HAVE AND TO HOLD the aforesaid lands, together with all privileges and appurtenances thereunto belonging to him the Grantee, his heirs, successors and assigns in fee simple forever.

And the Grantor, acting as Executrix, does hereby covenant that she has not placed or suffered to be placed any presently existing lien or encumbrance on the property conveyed by this Deed; and that she will warrant and defend the title to the same against the lawful claims of all persons claiming by, through, or on account of her, but not further.

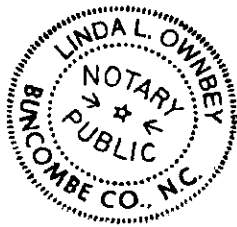
IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal, effective the day and year first above written.

 (SEAL)
Imogene Rudisill, Executrix of the Estate
of Craig L. Rudisill, Jr., deceased

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

I, a Notary Public of said County and State, certify that IMOGENE RUDISILL, in her capacity as Executrix of the Estate of CRAIG L. RUDISILL, JR., deceased, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 6th day of July, 2006.




SIGNATURE OF NOTARY PUBLIC


PRINTED NAME OF NOTARY PUBLIC


COMMISSION EXPIRATION DATE

(NOTARY STAMP-SEAL)

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Various Tracts designated as Dockery/Mouth of Ivy, Little Pine (now Redmon Rd.), Hill Street, and vacant lot-Old Asheville Hwy.

SCHEDULE "A" (LEGAL DESCRIPTION)

FIRST TRACT:

Lying and being in No. 1 Township, Madison County, NC, being known as Dockery/Mouth of Ivy Tract and designated as "TRACT 6" on that certain Deed to Craig L. Rudisill, Jr. recorded in Book 168, at Page 465, in the office of the Register of Deeds for Madison County, NC, and being more particularly described as follows:

PART A: BEGINNING on a willow on the bank of French Broad River, and runs North 53 poles and 12 links to a rock; thence North 12 East 8 poles to a rock; thence North 14 East 11 poles and 3 links to a rock in the Tillery line; then East 32 poles to a stake; then leaving the Tillery line down and with the top of a ridge between the Ruth and Robert Ward Tract; then South 25 East 14 poles to a stake; then South 5 West 7 poles to a double black oak; then South 18 West 24 poles to a post oak a corner made between W.W. Rollins and J.B. Hensley and B. Tillery; then running with the top of the ridge South 34 West 21 poles to a white oak; then South 45 West 46 poles to a large sycamore on the bank of French Broad River at a rock just below the mouth of Ivy; thence from the sycamore down and with the meanders of the river to the BEGINNING, containing 30 acres more or less, being on the N.E. side of French Broad.

PART B: Lying on the N.E. side of French Broad River, adjoining J.B. Hensley and others: BEGINNING on a sycamore a conditional corner made by J.B. Hensley and W.W. Rollins, on the bank of French Broad River just below the mouth of Big Ivy and runs North 45 degrees East 46 poles to a white oak; thence North 34 degrees East 21 poles to a post oak, a conditional corner made by J.B. Hensley and W.W. Rollins and B. Tillery; then South 53 East 43 poles and 18 links to a white oak; then South 57 West 9 poles and 7 links to a dogwood; then South 61 West 12 poles and 5 links to a pine; then South 48 West 31 poles to a stake at Ivy at the mouth of a small branch; then down and with the mouth of the Big Ivy 36 poles to the mouth of said Big Ivy; Then down and with the French Broad River to the BEGINNING, containing 20 acres more or less.

PART C: BEGINNING on a spruce pine on the West side or bank of the French Broad River opposite the mouth of Ivy and runs up the river with the various meanders thereof 180 poles to a stake; then a direct line to the beginning, containing 25 acres more or less.

EXCEPTING from the above lands a small tract consisting of approximately three (3) acres more or less as described in Deed to Southern Railway, dated July 23, 1947, and recorded in Deed Book 74 at Page 544, Madison County Registry.

All of the above lands being conveyed by the D.O. Purkey heirs by deed dated July 3, 1945, recorded in Deed Book 72 at Page 288, Madison County Registry, to which reference is hereby made for further description.

This is the same tract conveyed to C.L. Rudisill and wife Elsie Rudisill by Alvin Dockery (unmarried) and Leroy Dockery and wife, Ruth Dockery, by Deed dated July 30, 1947, recorded in Deed Book 74 at page 561, Madison County Registry.

SECOND TRACT:

Lying and being in the Town of Marshall, on Little Pine Creek Road, being known as Little Pine (now Redmon Road), and designated as "TRACT 7" on that certain Deed to Craig L. Rudisill, Jr. recorded in Book 168, at Page 465, in the office of the Register of Deeds for Madison County, NC, and being more particularly described as follows:

PART A:

LOT NO. 7: BEGINNING on an iron stake the N.E. Corner of Lot No. 6 and runs with the Pine Creek Road N. 85 deg. 30' East 8 ½ poles to a stake at the edge of the Pine Creek Road and the N.W. Corner of Lot No. 8; thence with the line of Lot No. 8 S. 32 deg. 15' E. 21 ½ poles to the French Broad River; thence running South 69 West 6.4 poles with the French Broad River to the S.E. Corner of Lot No. 6; thence with the line of Lot No. 6, N. 35 deg. 30' West 25 poles to the BEGINNING; containing one (1) acre, more or less.

LOT NO. 8: BEGINNING at a stake the North East Corner of Lot No. 7 and on the Pine Creek Road and runs North 48 East 9 ½ poles to a stake; then North 5 deg. 30' East 3 ½ poles to an iron culvert, South West corner of Lot No. 9; thence South 33 East 22 poles to the French Broad River; then down and with the River South 61 West 12.8 poles to a stake in the Southeast corner of Lot No. 7; then with the line of Lot No. 7, North 32 deg. 15' West 21 ½ poles to the BEGINNING; containing 1.9 acres, more or less.

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REFERENCE IS HEREBY MADE to the Office of the Register of Deeds for Madison County, N.C. to Deed Book No. 73 at page 5 where is recorded a Deed from Guy V. Roberts and others to Pearl Tweed, which Deed embraces Lot No. 7; to Deed Book No. 71 at page 231, where is recorded a Deed from Guy V. Roberts and others to Pearl Tweed, which Deed conveys Lot No. 8 above.

REFERENCE IS ALSO MADE to the above Office to Deed Book No. 41 at Page 618, where is recorded a plat of the Survey made by W.K. Hunter on the 12th day of May, 1929, to which reference is hereby made for a full and complete description of said lots.

TOGETHER WITH AND SUBJECT TO a right-of-way, street, or cartway to Lot No. 8, which was expressly reserved by grantors over Lot No. 9 deeded to Roy Ball and wife, Mary Ball, by deed dated September 11, 1947, and recorded in Book No. 75 at Page 554, reference to which is hereby expressly made for a full and complete description.

PART B:

BEGINNING on a stake in the center of Little Pine Creek Road at a point directly in front center of the house where Mrs. R.M. Cook now lives; thence North 12 West 55 poles and 3 feet to a stake in S.B. Roberts line on the top of the Roberts Mountain; thence a Westwardly Course with said Roberts line a distance of 590 feet to Perry Roberts Corner in said Roberts' line; thence leaving said S.B. Roberts line and with Perry Roberts line South 12 East 55 poles and 3 feet to a stake in the center of Little Pine Creek Road; thence with the center of Little Pine Creek Road Eastwardly a distance of 590 feet to the BEGINNING; containing 13 acres, more or less.

SUBJECT TO any exceptions and reservations, rights-of-way, contained in a deed from Carolina Power and Light Company to Guy V. Roberts and S.E. Roberts, dated the 14th day of October, 1926, and recorded in Deed Book No. 48 at Page 162 in the Office of the Register of Deeds for Madison County, N.C.; also any reservations in the Deed from the N.C. Electrical Power Company to Guy V. Roberts and S.E. Roberts; also, any right-of-way of the Southern Railway Company.

This is the same tract conveyed to C.L. Rudisill and wife Elsie Rudisill by R.F. Tweed and wife Pearl Tweed, by Deed dated January 2, 1948, recorded in Deed Book 77, page 117, Madison County Registry.

Being a portion of the lands conveyed in the Executor's Deed of Elsie W. Rudisill. Dated 9 April 1997 and duly recorded at Book 168, page 458 et. seq., in the Madison County Registry.

THIRD TRACT:

Lying and being in Madison County, NC, being designated as "TRACT #5 - HOUSE AND LOT, HILL STREET" in that certain Deed to Thomas R. Rudisill recorded in Book 156, at Page 84, in the Madison County, NC, Registry, and being more particularly described as follows:

BEING Lot No. 5 in the John Davis Survey of Courthouse Hollow, which includes the spring and bounded as follows: BEGINNING at a stake in the public road and runs North 41 deg. West 119 feet to a stake; thence North 59 deg. East 67-1/2 feet to a stake at the road; thence South 38 deg. West 66 feet to the BEGINNING, containing 32 square rods more or less. Except the spring with the land that lies below a line running across from the public road to the branch where it ran at the time of the execution of Deed by C.B. Mashburn to W.J. McLendon, Jr., and Roy L. Gudger which deed is duly registered in Book No. 25, Page 396, office of the Register of Deeds of Madison County and all lands below said Cross line between the public road and said branch below said Cross line to run across from the public road to the branch 3 feet above the spring as it was located at the time of the execution of said deed and 20 feet from the Northeast corner of the said lot with such and the same privilege rights and easements as parties of the first part acquired by deed of conveyance to J.J. Bailey of said property to Toney Ball and wife, Roy L. Gudger, the same being the identical property described in said deed of conveyance by Roy L. Gudger and Toney Ball and wife to J.J. Bailey which deed is duly recorded in the office of the Register of Deeds for Madison County, North Carolina, in Book 44, Page 154, and being the same property conveyed to the parties of the first part by J.J. Bailey and wife, Edna Bailey, by deed dated June 1, 1923, and duly recorded in said Register's office in Book No. 43, Page No. 463.

This is the same property conveyed to C.L. Rudisill and O.C. Rector by John Lisenbee, et. al., by deed dated June 19, 1931, recorded in Deed Book 55, at Page 48, and one-half (1/2) undivided interest in Tract No. 3 conveyed to C.L. Rudisill by O.C. Rector, et. ux., by deed dated February 1, 1934, recorded in Deed Book 57, at Page 83, Madison County Registry.

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FOURTH TRACT:

Lying and being in Madison County, NC, being designated as "**TRACT #6 - VACANT LOT - OLD ASHEVILLE HIGHWAY**" in that certain Deed to Thomas R. Rudisill recorded in Book 156, at Page 84, in the Madison County, NC, Registry, and being more particularly described as follows:

BEGINNING at a telephone pole at the West corner of W.R. Sams garden, in and near the line of Ramsey and Haney, and running North four East and with the said line to the Railroad; thence down the said Railroad two hundred (200) feet to a stake; thence South to the State Highway No. 20; thence with the Highway to the BEGINNING. Being the same parcel, tract or lot conveyed to the party of the first part by C.B. Mashburn, Trustee, as recorded in the office of the Register of Deeds of Madison County, North Carolina, in Book 56, Page 291.

This is the same property conveyed to Craig L. Rudisill by Southern Coal & Coke Company, by deed dated August 17, 1938, recorded in Deed Book 62, at Page 569, Madison County Registry.