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119510  
RECORDING FEE \$ 17.00 REVENUE

Filed in CLEVELAND County, NC  
on Feb 18 2009 at 04:13:35 PM  
by BONNIE E. REECE  
REGISTER OF DEEDS  
Book 1569 Page 1856

Excise Tax -0- Do NOT write above this line. Recording: Time, Book and Page

**NORTH CAROLINA GENERAL WARRANTY DEED**

This instrument prepared by: \* Michael H. Griffin Attorney at Law Shelby, NC  
Brief description for the index \_\_\_\_\_  
This Deed made this 15<sup>th</sup> day of January, 2009, by and between Grantor and Grantee:  
Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership). The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

**Grantor:** Billie S. Farris (Widow) by and through her Co Attorneys in Fact Michael W. Smith and Mark F. Smith per that Power of Attorney dated March 31, 2004 and recorded in Book 1564, Page 391 of the Cleveland County Registry

**Grantee:** Michael W. Smith, an undivided one-half interest and Mark F. Smith, an undivided one-half interest as Tenants In Common 133 Thistle Drive, Youngsville, NC 27596

**Transfer of Ownership:** Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, conveys to Grantee in fee simple, the Property described below:

**Property:** City of Kings Mountain  
Township of No. 4, County of Cleveland, North Carolina.  
This property was acquired by Grantor by an instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Cleveland County.  
A map showing the property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Cleveland County.  
The legal description of the Property is:

Being located south of Kings Mountain and on the southeastern side of the right of way for the north bound lane of Interstate 85 and on the Western side of the right of way for Highway 161 also known as York Road at or near the southeastern intersection of Interstate 85 and York Road and being a combination of those parcels acquired by Billie S. Farris and referred to in Deed Book 1170, Page 126; Deed Book 11-P, Page 412 and Deed Book 12-Z at Page 180 to which reference is made and incorporated by reference as if fully set out herein. The three parcels herein combined are also identified on Tax Map 4-76-1-15, 4-76-1-17, and 4-76-1-23.

**LESS AND EXCEPTED THEREFROM** that portion of the above described property taken by the Department of Transportation in that action filed on 12-12-2002 and being on record at File Number 02-CVS-2199 in the office of the Clerk of Superior Court for Cleveland County. For further description of the property taken by DOT see the Consent Judgment and Map filed therewith at 02-CVS-2199.

Together with any and all rights in and to Quality Lane (now closed).

NO TITLE SEARCH PERFORMED

*Continued on Page 2*

After recording mail to: \_\_\_\_\_ Tax Lot No. \_\_\_\_\_  
Parcel Identifier No. \_\_\_\_\_

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TO HAVE AND TO HOLD the said Property and all privileges and appurtenances (rights) thereto belonging to the Grantee in fee simple.

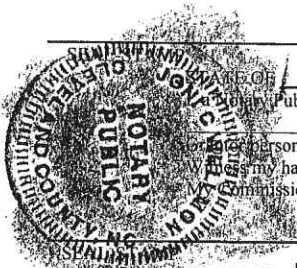
Promises by Grantor: Grantor promise (covenants) with the Grantee, that Grantor has title to the Property in fee simple; has the right to convey the title in fee simple; that the title is marketable and free and clear of all liens and encumbrances (i.e. mortgages, and judgments), and Grantor will warrant and defend the title against the lawful claims of all persons, except for the following exceptions:

Easements and Rights of Way for streets, roads and utilities as appear of record.

NO TITLE SEARCH PERFORMED

Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Entity Individual Name: Michael W. Smith AIF for Billie S. Farris (Seal) Title: Mark F. Smith AIF for Billie S. Farris (Seal)



INDIVIDUAL STATE OF North Carolina COUNTY OF Cleveland I, a Notary Public of the County and State aforesaid, certify that mark F. Smith Grantor personally came before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18th day of January, 2009. My Commission Expires: 5-18-2013 Notary Public

INDIVIDUAL STATE OF North Carolina COUNTY OF Wake I, a Notary Public of the County and State aforesaid, certify that Michael W Smith Grantor personally came before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 30th day of January, 2009. My Commission Expires: May 1, 2013 Notary Public

ENTITY: Corporation, Limited Liability Company, General Partnership, or Limited Partnership STATE OF COUNTY OF I, a Notary Public of the County and State aforesaid, certify that Personally came before me this day and acknowledged that he is of a North Carolina or corporation / limited liability company / general partnership / limited partnership (strike through the inapplicable) and that by authority duly given and as an act of the Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed. Witness my hand and official stamp or seal, this day of 20 My Commission Expires: Notary Public

The 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.

By -REGISTER OF DEEDS FOR COUNTY Deputy/Assistant Register of Deeds