

14228

CABARRUS COUNTY
FILED
04/20/2007 4:26 PM
LINDA F. MCABEE
Register Of Deeds
By. LT Deputy/Asst.
EXCISE TAX \$0.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: .00

Parcel Identifier No. (1)12-25-41 Verified by _____ County on the _____ day of _____, 20____
By: (2)11-26-22.2 (3)11-26-22.8

Mail/Box to: Grantees

NO TITLE OPINION
This instrument was prepared by: HOWARD S. IRVIN, P.A., Attorney At Law, Concord, North Carolina

Brief description for the Index: (1) Mount Vernon Heights (2)(3) Cold Springs Road

THIS DEED made this 13th day of March, 2007, by and between

GRANTOR

ALAN G. MISENHEIMER

GRANTEE

ALAN G. MISENHEIMER
and wife
ANA MARIA MISENHEIMER

704 Randolph Street
Falls Church, VA 22046

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 (1) Concord, Numbers 12 and 11 Township, Cabarrus County, North Carolina and more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO FOR A DESCRIPTION OF THE
PROPERTY BEING CONVEYED HEREIN**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1780 page 319 and 321

A map showing the above described property is recorded in Plat Book _____ page _____.

23

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, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name) Alan G. Misenheimer (SEAL)
(Alan G. Misenheimer)

By: _____ (SEAL)
Title: _____

By: _____ (SEAL)
Title: _____

By: _____ (SEAL)
Title: _____

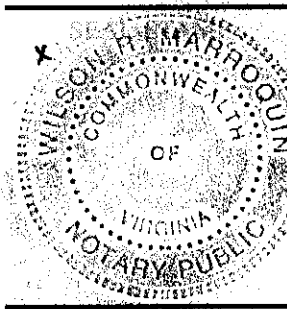
USE BLACK INK ONLY

State of VIRGINIA - County of ARLINGTON

I, the undersigned Notary Public of the County and State aforesaid, certify that Alan G. Misenheimer personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this APRIL 16 day of April, 2007

My Commission Expires: 12/31/10

[Signature]
Notary Public



State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ 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 the act of each entity, he signed the forgoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial 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.

Register of Deeds for _____ County

By: _____ Deputy/Assistant - Register of Deeds

EXHIBIT "A"

FIRST TRACT: Township 12, Tax Map 25, Parcel 41

Lying and Being in Ward Number Two (2) of the City of Concord, Number Twelve (12) Township of Cabarrus County, North Carolina and Being all of Lot Numbers 35, 36, 37, 38, and 39 in Block "E" as shown on the map of **MOUNT VERNON HEIGHTS**, as surveyed and platted, a copy of which plat is filed in the Office of the Register of Deeds for Cabarrus County in Map Book 1, Page 47, to which map book and page reference is hereby made for a complete description thereof by metes and bounds.

LESS AND EXCEPTED from the above property are any portions thereof which have been conveyed prior hereto.

Township 11, Tax Map 26, Parcels 22.2 and 22.8

SECOND TRACT:

Lying and Being in Number Eleven (11) Township of Cabarrus County, North Carolina on the East side of Big Cold Water Creek on both sides of Cold Springs Road, and being a part of the Geneva L. Cook Estate Property, and more particularly described as follows:

OLD DESCRIPTION

BEGINNING at an iron stake in the center of Big Cold Water Creek and the Cold Springs Road, corner of Ira F. Miller lands, and runs thence with the line of Miller North 73-30 East 577.5 feet to a Walnut Stump; thence crossing Burnt Mill Road and with the line of Archie Harrington North 49-30 East 516.8 feet to a stone, corner of Miller; thence with the Miller line South 79-45 East 477.0 feet to an iron stake in the center of Little Cold Water Creek; thence with the center of Little Cold Water Creek six (6) lines as follows: First, with the line of Poplin South 5 East 763.5 feet to an iron stake; t hence Second, with the line of Poplin South 1 West 520.0 feet to an iron stake; thence Third with the line of Walter South 16-45 East 670.0 feet to an iron stake; thence Fourth, with the line of Walter South 04-45 West 374.0 feet to an iron stake; thence Fifth, with the line of Walter South 25-30 West 200.0 feet to an iron stake; t hence with the line of Walter South 46-45 West 200.0 feet to an iron stake in the center of Big Cold Water Creek; thence with the center of Big Cold Water Creek and Luther E. Canupp North 30 West 1015 feet to an iron stake in the mount of a branch; thence a new line with the center of Big Cold Water Creek and W. E. Cook North 29-30 West 2005 feet to the point of BEGINNING, containing 62.40 acres, more or less, as surveyed and platted by Walter L. Furr, Jr., R.L.S., November 1970.

LESS AND EXCEPTED from the above described property are any portions thereof which have been conveyed prior hereto.



THIRD TRACT:

Lying and Being in Number Eleven (11) Township of Cabarrus County, North Carolina on the North side of Cold Springs Road, and West of Big Cold Water Creek and Being a part of the Geneva L. Cook Estate property, and being more fully described as follows:

OLD DESCRIPTION

BEGINNING at an iron stake in the center of Cold Springs Road, in the line of M. F. Caudell and runs thence with the line of Caudell North 4 West 273.6 feet to a hickory; thence with the line of Ira F. Miller land ten (10) lines as follows: First, North 04-30 East 709.5 feet to a Hickory; t hence Second, North 42 West 165 feet to an ash; thence Third, North 78 West 165 feet to a sweet gum; thence Fourth, due West 148.5 feet to a sweet gum; thence Fifth, North 74 West 99 feet to an iron stake; thence Sixth, North 18 East 99 feet to a birch; thence Seventh, South 83 West 462 feet to a stone; thence Eighth North 71-30 West 495 feet to a stone; thence Ninth, North 82 West 198 feet to a stone; thence Tenth, South 60 West 198 feet to a stone; thence with the Miller line and the line of Ikerd and Craver North 7 West 1348.88 feet to a stone, corner of Craver; thence with the Craver line North 80 East 709.5 feet to an iron stake in the center of Big Cold Water Creek and the line of Ira F. Miller; thence with the line of Miller nine (9) lines as follows: First, South 07-30 East 944.6 feet to an iron stake; thence Second, South 20-30 East 214.5 feet to an iron stake; thence Third, South 52-30 East 132.0 feet to an iron stake; thence Fourth, South 74 East 259 feet to an iron stake; thence Fifth, South 77-30 East 470.25 feet to an iron stake; thence Sixth, North 77 East 379.5 feet to an iron stake; thence Seventh, South 73-30 East 140 feet to an iron stake; thence Eighth, South 65 East 231 feet to an iron stake; thence Ninth, South 8E ast 694.7 feet to an iron stake in the line of the Board of Light and Water Commissioners; thence with said Borad three (3) lines as follows: First, South 84-20 West 134.5 feet to an iron stake; thence Second, South 55-20 West 208.2 feet to an iron stake; thence Third, South 34-40 East 121.5 feet to an iron stake in the center of Cold Springs Road; thence with Cold Springs Road North 60-02 East 200 feet to an iron stake; thence with Cold Springs Road North 50-46 East 320.0 feet to an iron stake containing 41.94 acres, more ro less, as surveyed and platted by Walter L. Furr, Jr., R.L.S. November 1970.

LESS AND EXCEPTED from the above described property are all thereof which have been conveyed prior hereto.

It is intended to convey herein in the above Second and Third tracts all of the property shown on the tax records of Cabarrus County as Township 11, Tax Map 26, Parcels 22.2 and 22.8

THE SECOND AND THIRD TRACTS DESCRIBED ABOVE ARE INFORMALLY KNOWN AND DESIGNATED AS "SILVA MAGNA TREE FARM."

The purpose of this conveyance is to create an Estate by the Entirety in the Grantees herein, namely Alan G. Misenheimer and wife Ana Maria S. Misenheimer, as provided by the North Carolina General Statutes.

