

BK 3805 PG 139 - 150 (12) DOC# 965386
This Document eRecorded: 10/18/2021 04:51:20 PM
Fee: \$26.00
Henderson County, North Carolina
William Lee King, Register of Deeds

GENERAL WARRANTY DEED

Prepared By: Timothy R. Cosgrove, Attorney at Law Stamps =\$2,200.00
100A Chadwick Square Court, Hendersonville, NC 28739
Return To: Phillip C. Price, Attorney at Law (21-0901)
1200 Ridgefield Blvd, Suite 180, Asheville, NC 28806

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

THIS DEED made this 14th day of October, in the year of our Lord, two thousand twenty one between:

Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman a/k/a Texie Sherman and wife, Frances Wilma Sherman, Marilyn Sinard Sherman, (Widow) Sole Beneficiary of the Estate of Johnny Louis Sherman, Paul Allen Johnson, Executor of the Estate of Johnny Louis Sherman, Catherine Sherman McMinn, by and through her Power of Attorney Verlyn Owenby, Mary Verlyn Sherman (Widow) and David Sherman and wife, Savannah Leigh Connor

110 Fork Creek Road, East Flat Rock, North Carolina 28726

of the County of Henderson and State of North Carolina, of the First Part,

and

GERGI LOGISTICS, LLC a North Carolina Limited Liability Company,
by and through its Manager, Sergii Gergi

14 Moss Pink Place, Asheville, North Carolina 28806-8844

of the County of Buncombe and State of North Carolina, of the Second Part:

WHEREAS, the property described herein was previously conveyed to William Sherman and wife, Grace Sherman a/k/a Texie Sherman by Deed recorded in Deed Book 267 Page 145 Henderson County Registry; and

WHEREAS, William Sherman died in Henderson County, North Carolina on April 16, 1990 leaving Grace Sherman as owner of said property; and

WHEREAS, Grace Sherman a/k/a Texie Sherman died testate in Henderson County, North Carolina on December 2, 2011; and

WHEREAS, Troy Lee Sherman qualified as Executor of the Estate of Grace Sherman with Letters Testamentary having been issued to him on January 5, 2012 in File No. 12-E-10 in the Office of the Clerk of Superior Court in and for Henderson County, North Carolina; and

WHEREAS, pursuant to the Last Will and Testament of Grace Sherman dated August 10, 2007, the real estate described herein was devised to her four children, Johnny L. Sherman, Troy Lee Sherman, Roy

Sherman and Catherine Sherman McMinn; and

WHEREAS, Johnny L. Sherman died testate in Henderson County, North Carolina on July 23, 2021, leaving his entire estate to his spouse, Marilyn Sinard Sherman; and

WHEREAS, the Last Will and Testament of Johnny L. Sherman is presently being probated through the Office of the Clerk of Superior Court for Henderson County, North Carolina In File No. 21-E-877 with Paul Allen Johnson having been appointed as Executor; and

WHEREAS, Roy Sherman also known as William Albert Sherman died testate on August 4, 2009 in Henderson County, North Carolina survived by his wife, Mary Verlyn Sherman and one son, David Sherman, presently of Henderson County, North Carolina; and

WHEREAS, pursuant to a Settlement Agreement filed in the Superior Court Division of the General Court of Justice in File No. 12-E-10, David Sherman succeeded to the share of Roy Sherman's interest in the property described herein pursuant to a Judgment Approving Settlement Agreement filed on March 30, 2015 in File No. 12-E-10 in the Office of the Clerk of Superior Court for Henderson County, North Carolina. Pursuant to that Settlement Agreement, the proceeds from the sale of the real property of the Estate will be paid to David Sherman; and

WHEREAS, Catherine Sherman McMinn's interest in said property shall be conveyed by her Power of Attorney, Verlyn Owenby according to a Power of Attorney recorded in Deed Book 3285 Page 479 Henderson County Registry.

NOW, THEREFORE THIS CONEYANCE:

WITNESSETH, that the parties of the first part, for and in consideration of the sum of (\$10.00) TEN Dollars and other valuable consideration in hand paid by the said parties the second part, the receipt whereof is hereby acknowledged, have bargained and sold, conveyed and confirmed, and by these presents do bargain and sell, convey and confirm, unto the said parties of the second part, their heirs and assigns forever, all the following described pieces or parcels of land lying and being in the Township of Blue Ridge, County of Henderson and State of North Carolina, and known and designated as follows, viz:

SEE ATTACHED EXHIBIT A and B

TO HAVE AND TO HOLD THE SAME, Together with all hereditaments and appurtenances thereunto in any wise appertaining, unto the said parties of the second Part, their heirs and assigns forever.

AND the said parties of the first part do covenant with the said parties of the second part, their heirs and assigns, as follows: FIRST, that the said parties of the first part are the owners and lawfully seized of said land and premises. SECOND, that they have good right and full power to convey the same, THIRD, that the same are free from all encumbrances whatsoever. And, FOURTH, that the said parties of the second part, their heirs, and assigns, shall quietly enjoy and possess the same, and that the said parties of the first part, their heirs, executors and administrators, will forever warrant and defend the title to the same against all lawful claims.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

Troy Lee Sherman (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

SEE ATTACHED (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman

Francis Wilma Sherman (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

SEE ATTACHED (Seal)
Marilyn Sinard Sherman

Mary Verlyn Sherman (Seal)
Mary Verlyn Sherman

SEE ATTACHED (Seal)
David Sherman

SEE ATTACHED (Seal)
Savannah Leigh Connor

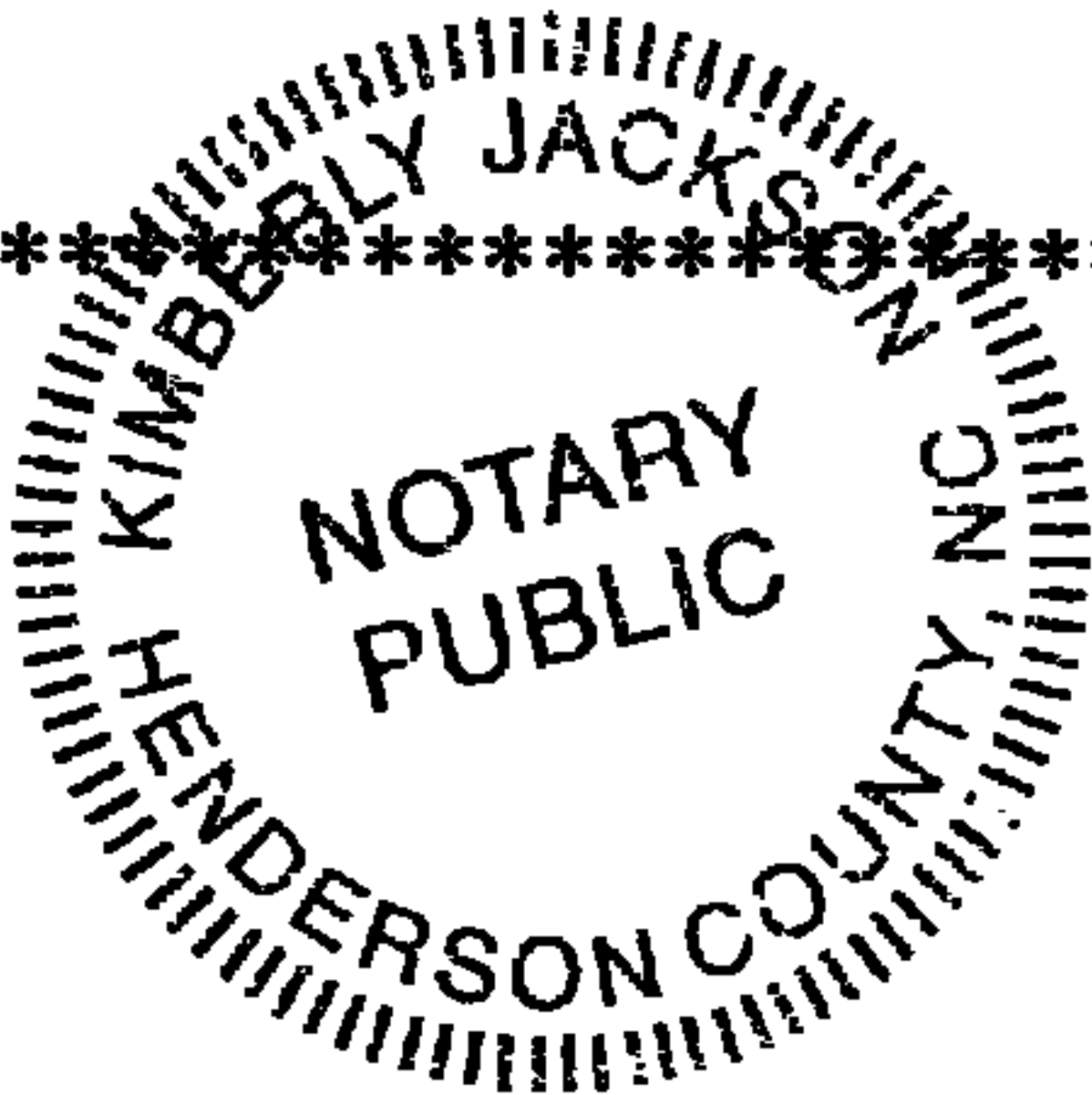
STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 8th day of October, 2021.

Kimberly Jackson
Notary Public

My Commission Expires: 12/11/22



IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

SEE ATTACHED (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

Paul Allen Johnson (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman

SEE ATTACHED (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

Marilyn Sinard Sherman (Seal)
Marilyn Sinard Sherman

SEE ATTACHED (Seal)
Mary Verlyn Sherman

David Sherman (Seal)
David Sherman

Savannah Leigh Connor (Seal)
Savannah Leigh Connor

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires: 12/11/22

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that Marilyn Sinard Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 7th day of October, 2021.

Deborah S. Barnwell
Notary Public

My Commission Expires: 4-27-23

DEBORAH S. BARNWELL
NOTARY PUBLIC
HENDERSON CO. NC

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

SEE ATTACHED (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

SEE ATTACHED (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Marilyn Sinard Sherman

SEE ATTACHED (Seal)
David Sherman

SEE ATTACHED (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman
Catherine Sherman McMinn
by Verlyn Owenby, AIF (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

SEE ATTACHED (Seal)
Mary Verlyn Sherman

SEE ATTACHED (Seal)
Savannah Leigh Connor

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires: 12/11/22

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Marilyn Sinard Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

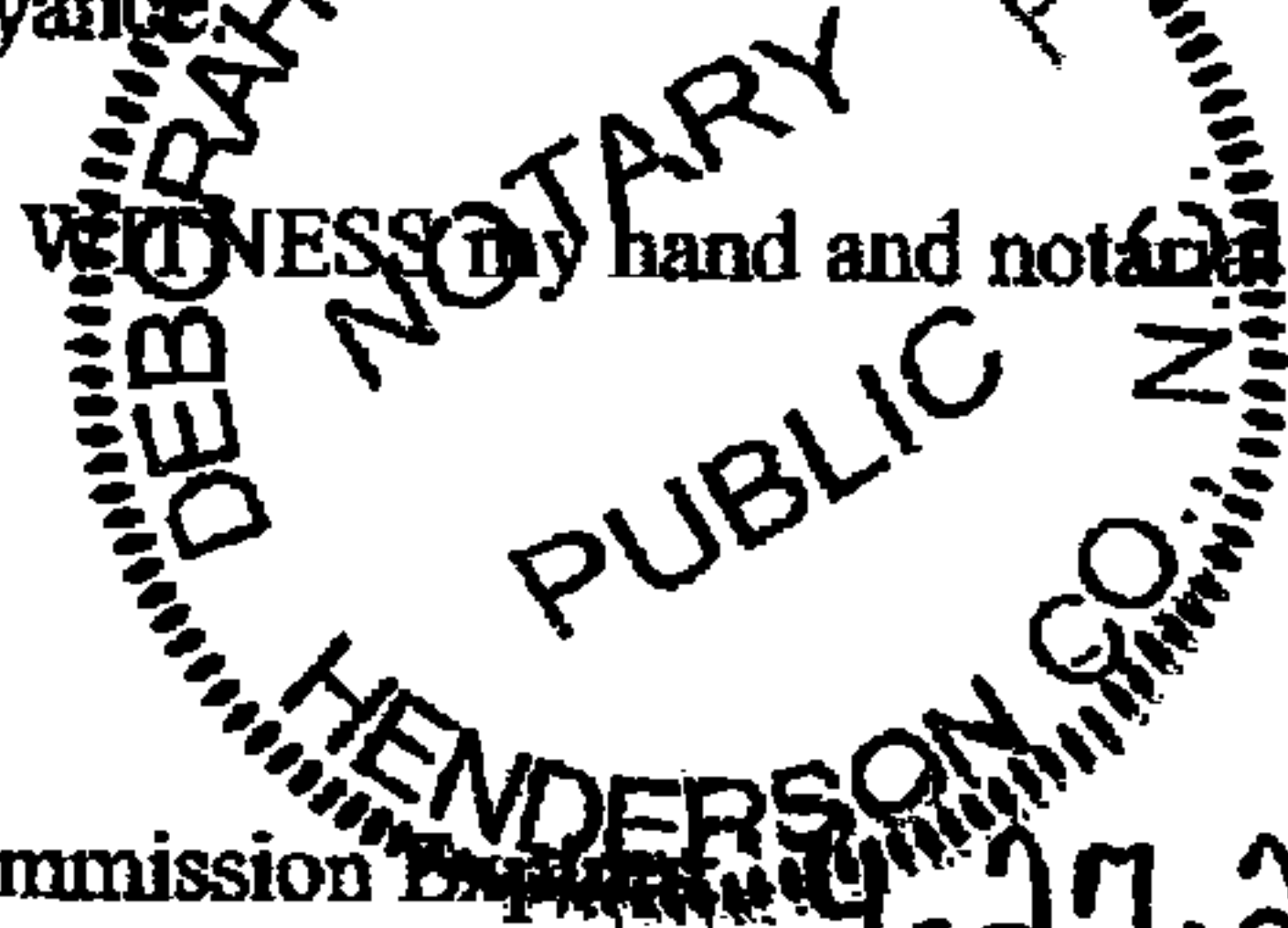
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that Paul Allen Johnson, Executor for the Estate of Johnny Louis Sherman personally appeared before me this day and acknowledged the due execution by him of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 17th day of October, 2021.



Deborah S. Barnwell
Notary Public

My Commission Expires: 9-27-23

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this ____ day of October, 2021.

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this ____ day of October, 2021.

SEE ATTACHED
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that Daniel Sheppard and wife, Savannah Leigh Connor personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 7th day of October, 2021.

Deborah S. Barnwell
Notary Public

My Commission Expires

4-27-23

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Paul Allen Johnson, Executor for the Estate of Johnny Louis Sherman personally appeared before me this day and acknowledged the due execution by him of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

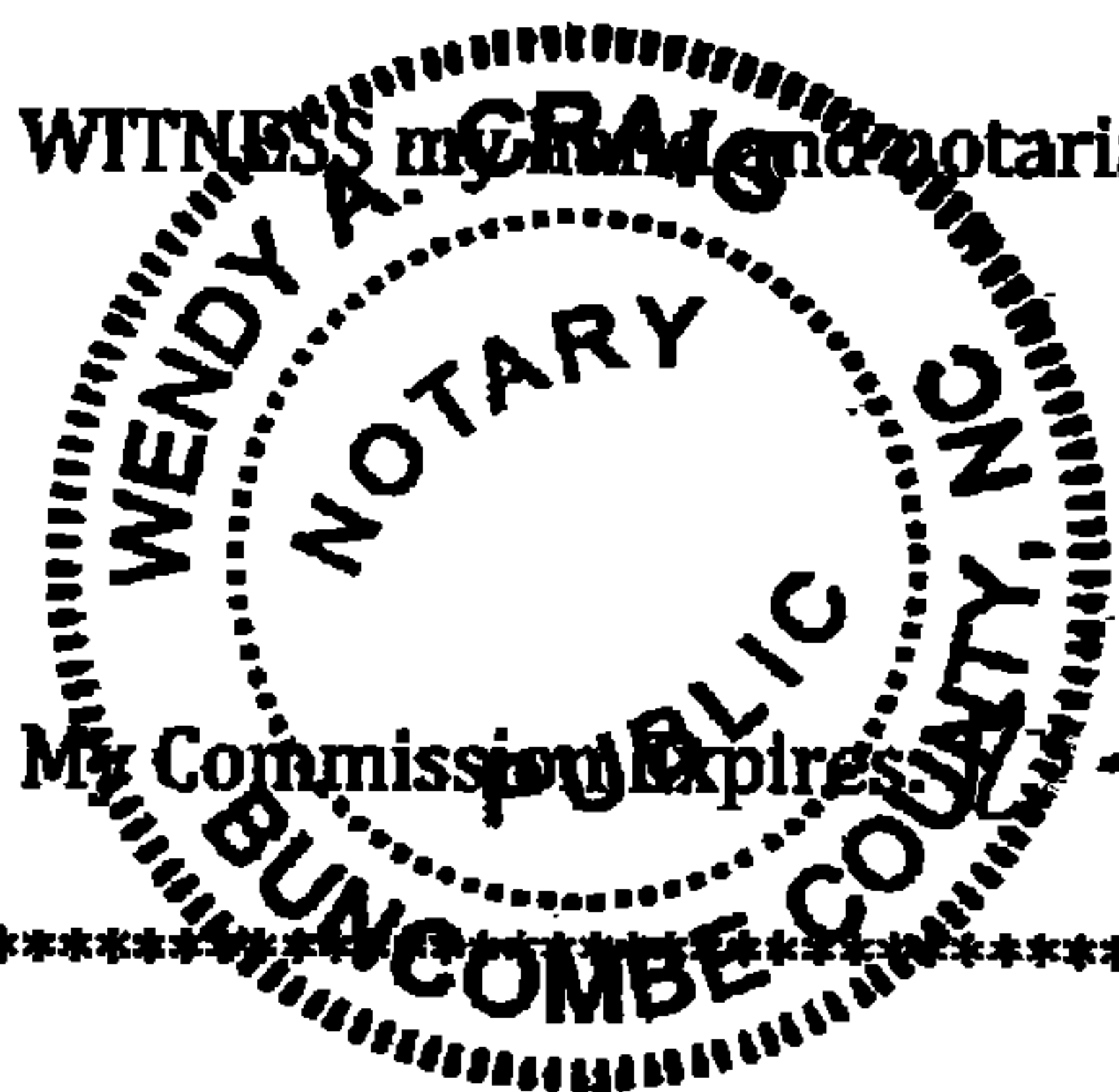
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Wendy A. Craig, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this 15 day of October, 2021.



Notary Public

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, *Beverly Owenby*, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, *Susan L Neal*, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this *8th* day of October, 2021.

Notary Public *Susan L Neal*

My Commission Expires: *12/30/23*

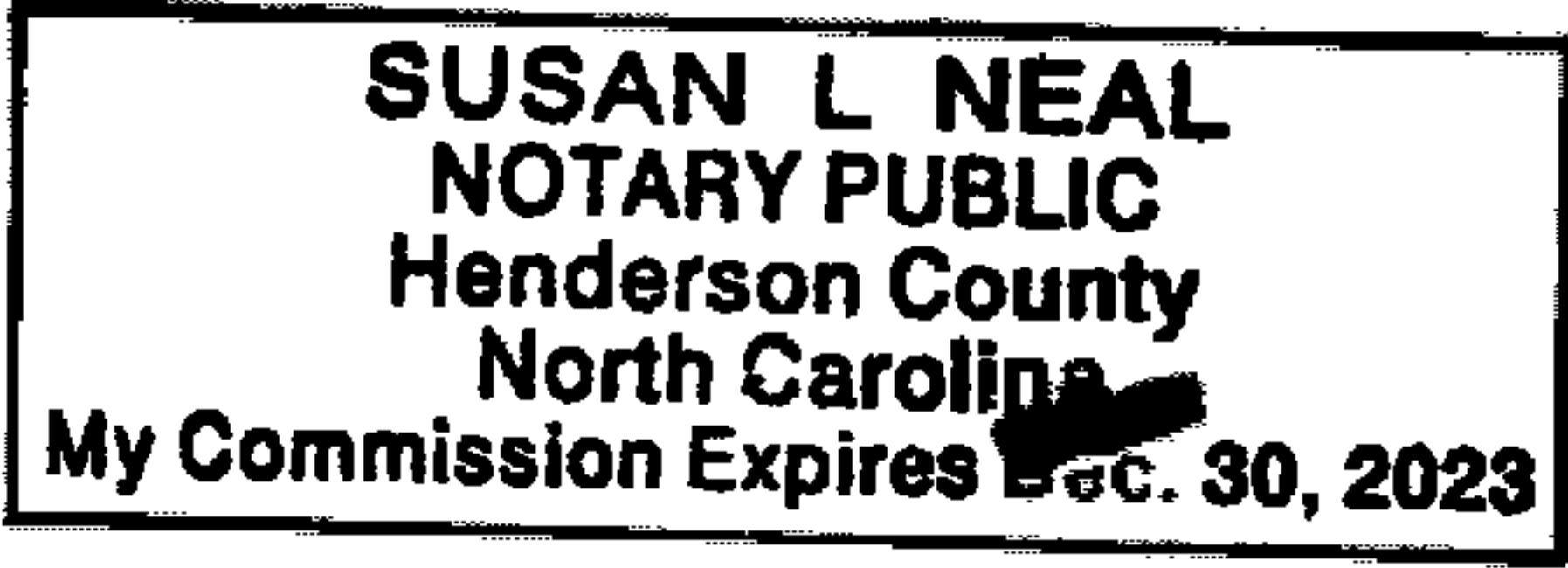


Exhibit “A”
for
Gergi Logistics, LLC

Being all that **14.22 acre tract** as shown on a plat as recorded in **Plat Book 2021, at Page/Slide 13545** of the Henderson County, NC Register’s Office; reference to which Plat is hereby made for a more particular description of said Property.

The above-described property is conveyed together with and subject to those applicable easements and rights of way as shown on the above referenced Plat.

The above-described property is conveyed subject to those easements contained in Book 1434, at Page 380, Book 1435, at Page 321 and Book 1474, at Page 449 all of the Henderson County, NC Register’s Office.

With regard to the area designated on the above-referenced Plat as "private right-of-way per Deed Book 1474/449" the Grantee is hereby restricted from making use of said right-of-way by any heavy trucks, heavy construction equipment, heavy machinery or tractor trailers and that use thereof, if any by the Grantee shall include only pedestrian traffic, light automobile traffic and pick-up trucks. This restriction is for the protection of those properties described in Deed Book 3285, at Page 587 and Deed Book 1474, at Page 449 of the Henderson County, NC Register’s Office.

And being a portion of that property described in that deed recorded in Book 267, at Page 145 of the Henderson County, NC Register’s Office. See also Estate Files 12-E-10 and 21-E-877 of the Henderson County, NC Clerk’s Office.

EXHIBIT "B"

**AGENT'S CERTIFICATION AS TO THE VALIDITY OF
POWER OF ATTORNEY AND AGENT'S AUTHORITY
(N.C.G.S 32C-3-302)**

I, **Verlyn Owenby** (Name of Agent), do hereby state and affirm the following under penalty of perjury:

(1) **Catherine J. McMinn (a/k/a Catherine Sherman McMinn)** granted me authority as an agent or successor agent in a power of attorney dated October 18, 2018.

(2) The powers and authority granted to me in the Power of Attorney are currently exercisable by me.

(3) I have no actual knowledge of any of the following:

(a) The Principal is deceased.

(b) The Power of Attorney or my authority as Agent under the Power of Attorney has been revoked or terminated, partially or otherwise.

(c) The Principal lacked the understanding and capacity to make and communicate decisions regarding his estate and person at the time the Power of Attorney was executed.

(d) The Power of Attorney was not properly executed and is not a legal, valid power of attorney.

(e) *(Insert other relevant statements)*

(4) I agree not to exercise any powers granted under the Power of Attorney if I become aware that the Principal is deceased, that the Power of Attorney has been revoked or terminated, or that my authority as Agent under the Power of Attorney has been revoked or terminated.

(4) I agree not to exercise any powers granted under the Power of Attorney if I become aware that the Principal is deceased, that the Power of Attorney has been revoked or terminated, or that my authority as Agent under the Power of Attorney has been revoked or terminated.

SIGNATURE AND ACKNOWLEDGMENT

Verlyn Owenby
Agent's Signature

Agent's Name Printed:
Verlyn Owenby

Agent's Address:
500 Gap Creek Road, Fletcher, NC 28732

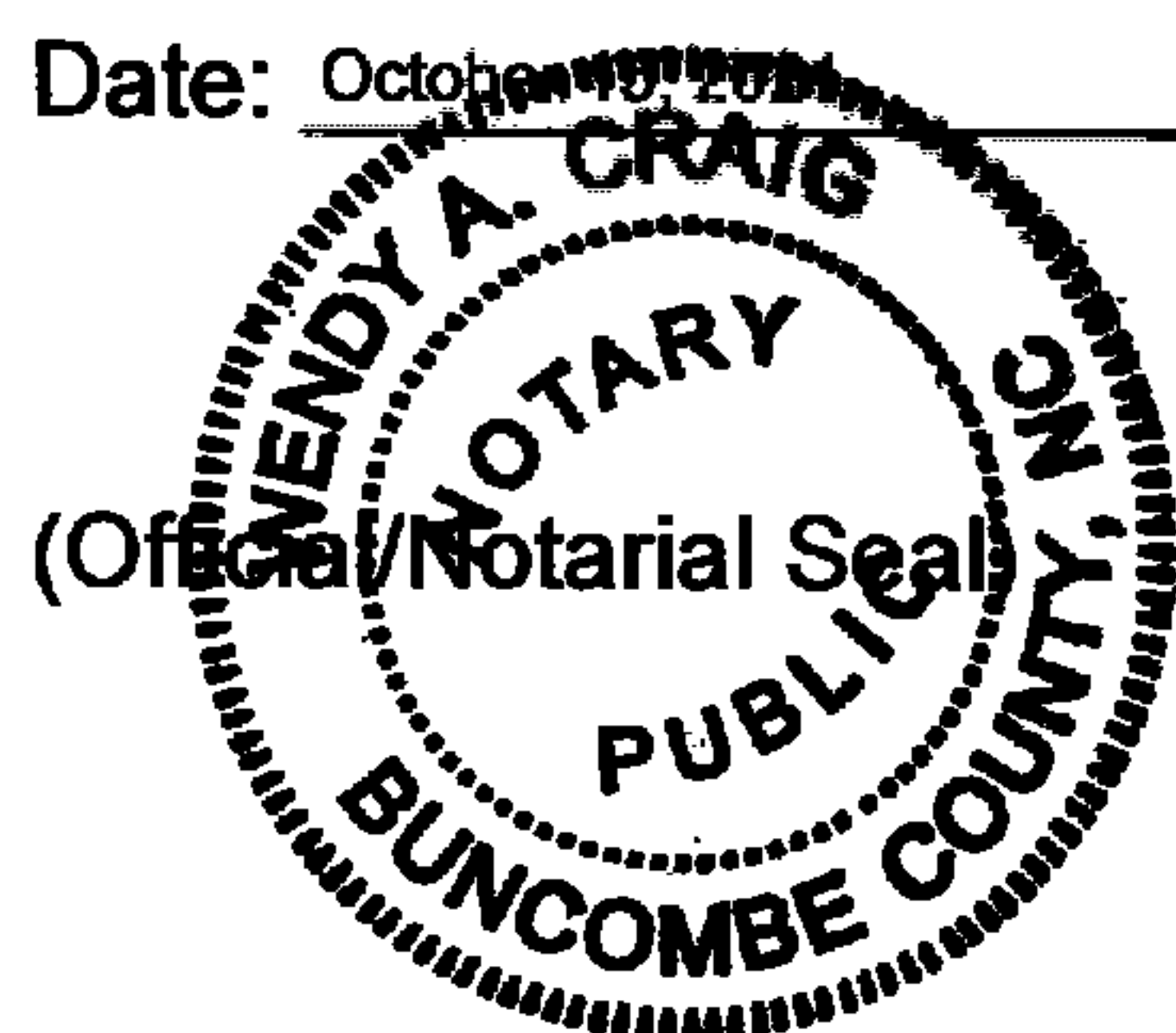
Agent's Telephone Number:
828-779-9570

Date: October 15, 2021 MA2

State of North Carolina
County of Buncombe

Sworn to or affirmed and subscribed before me this day by: Verlyn Owenby

Date: October 15, 2021



Wendy A. Craig
Notary's Printed or Typed Name

My commission expires: October 31, 2024