

8948 520

Filed and recorded in the Register of Deeds Office to  
Henderson County, N. C. this 16 day of March, 1998  
at 4:00 o'clock P.M. in Book 948 at page 520

Dedra W. Molen  
Register of Deeds

By: Patsy B Higgins  
Asst.

Excise Tax \$2,400

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_

Mail after recording to T. Mullinax - Attorney

This instrument was prepared by Kilpatrick Stockton LLP (BAB)

Brief description for the Index

401 N. Main St. and Parking Lot, Hendersonville, NC

## NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 12th day of March, 1998, by and between

### GRANTOR

FIRST UNION NATIONAL BANK,  
a national banking association,  
formerly known as FIRST UNION NATIONAL BANK  
OF NORTH CAROLINA and successor to  
THE NORTHWESTERN BANK by merger, and successor  
to WESTERN INVESTMENT CORPORATION by merger

### GRANTEE

TJF ENTERPRISES, LLC,  
a North Carolina limited liability company

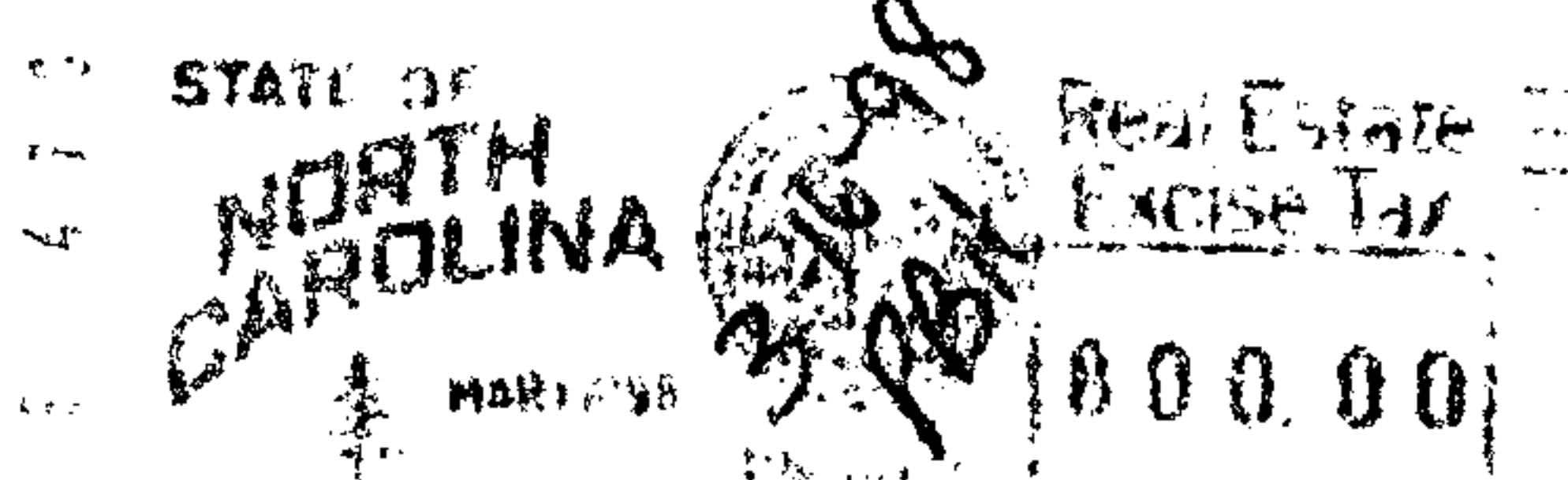
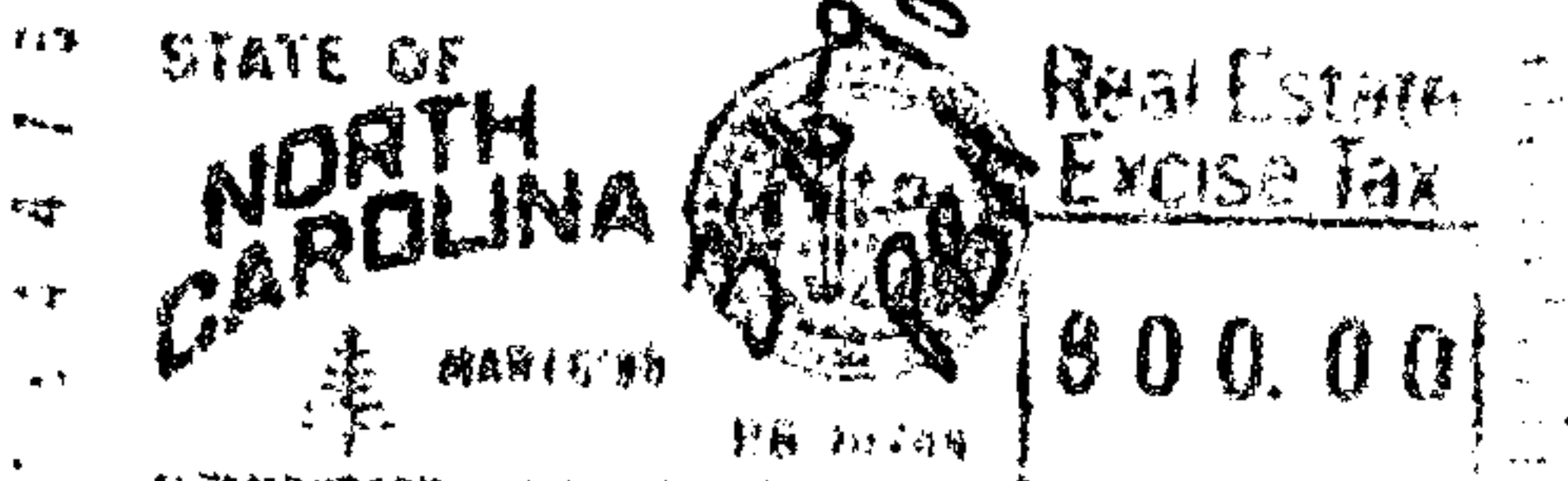
109 S. Main Street  
Hendersonville, NC 28739

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 Hendersonville, \_\_\_\_\_ Township, Henderson County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.



The property hereinabove described was acquired by Grantor by instrument recorded in Book 383, Page 596 and.....  
Book 539, Page 891, Henderson County Registry

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

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

easements, restrictions and rights of way of record; lien of ad valorem taxes;  
general utility easements affecting the property; rights of tenants in possession.

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.

FIRST UNION NATIONAL BANK

(Corporate Name)

By:

Vice

President

ATTEST:

Assistant

Secretary (Corporate Seal)

USE BLACK INK ONLY

(SEAL)

(SEAL)

(SEAL)

(SEAL)

NORTH CAROLINA, ..... County.

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

Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this ..... day of ....., 19.....

My commission expires: ..... Notary Public

SEAL STAMP

NORTH CAROLINA, Mecklenburg County.

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

personally came before me this day and acknowledged that he is Assistant Secretary of

FIRST UNION NATIONAL BANK, a national banking association, and that by authority duly

given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice

President, sealed with its corporate seal and attested by him as its Assistant Secretary.

Witness my hand and official stamp or seal, this 13th day of March, 1998.

My commission expires: 1/18/2001 Michele Camp Notary Public

The foregoing Certificate of

Michele Camp, Notary Public

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.

Debra W. Moles REGISTER OF DEEDS FOR Henderson COUNTY

By Patsy B. Higgins Deputy/Assistant-Register of Deeds.



## EXHIBIT A

BEING the identical parcels described in deeds recorded in Deed Book 539, at Page 891 and Deed Book 383, at Page 596, both of the Henderson County Registry, and being more particularly described by reference to a current survey thereof, as follows:

TRACT ONE: BEGINNING at a new iron pin in the southern margin of the right of way of 4th Avenue West in the City of Hendersonville, Henderson County, North Carolina, said new iron pin being located North 36 deg. 25 min. 19 sec. East 202.76 feet from an N.C.G.S. Monument "Post Office" (N - 587995.458, E - 967677.359), said new iron pin is also the northeasternmost corner of the United States of America tract as is shown and described in deed found in Deed Book 72, at Page 155 of Records of Deeds of the Henderson County Registry, and moving thence from said beginning point and traveling along and with the southern margin of the sidewalk on the southside of 4th Avenue West, North 81 deg. 48 min. 47 sec. East 49.10 feet to a new iron pin; thence turning and running South 08 deg. 11 min. 13 sec. East 148.45 feet to a new iron pin in the northern boundary of the Cunningham tract (now or formerly) as is shown and described in deed found in Deed Book 933, at Page 222 of the Records of the Henderson County Registry; thence turning and running South 81 deg. 44 min. 01 sec. West 49.10 feet to a new iron pin in the eastern margin of the United States of America tract as is shown and described in deed found in Deed Book 72, at Page 155 of Records of Deeds of the Henderson County Registry; thence along and with the eastern margin of the United States of America tract as aforesaid, North 08 deg. 11 min. 13 sec. West 148.52 feet to the new iron pin that is the point and place of BEGINNING, and containing .167 acres, more or less, and is shown as a Paved Parking Lot on "Plat of Survey for Thomas J. Fazio", dated March 3, 1998, by Steven Lloyd Waggoner, RLS 2874, and bearing Job No. 98-034.

For legal reference see deed found in Deed Book 539, at Page 891 of the Henderson County Registry.

TRACT TWO: BEGINNING at the southwesternmost building corner of that Multi Story Brick Building located at the terminus of the eastern margin of that 20-foot alleyway known as Wall Street as it intersects with the northern margin of the sidewalk of 4th Avenue West in the City of Hendersonville, Henderson County, North Carolina, the building corner is further located North 25 deg. 44 min. 30 sec. West 51 feet from the new iron pin that is the northeastern corner of Tract One hereinabove described; and moving thence from said beginning point along and with the northern boundary of the concrete sidewalk on the north side of 4th Avenue West in Hendersonville, North Carolina, North 81 deg. 49 min. 04 sec. East 130.04 feet to a point in the western boundary of the sidewalk for Main Street, City of Hendersonville; thence turning and running along and with the western boundary of the sidewalk for Main Street, North 08 deg. 11 min. 50 sec. West 45.80 feet to a building corner, the southeastern corner of the J. Hansen International, Inc., tract as is shown and described in deed found in Deed Book 862, at Page 676 of the Records of the Henderson County Registry; thence along and with the southern boundary of the J. Hansen International, Inc., tract as aforesaid and with the north face of the north wall of a Multi Story Brick Building, South 81 deg. 50 min. 28 sec. West 130.06 feet to a building corner in the eastern margin of the 20-foot alleyway known as Wall Street (former Jackson Alley); thence along and with the eastern margin of Wall Street, South 08 deg. 13 min. 29 sec. East 45.85 feet to the building corner that is the point and place of BEGINNING, and containing .137 acres, more or less, and is shown as a Multi Story Brick Building on "Plat of Survey for Thomas J. Fazio", dated March 3, 1998, by Steven Lloyd Waggoner, RLS 2874, and bearing Job No. 98-034.

For legal reference see deed found in Deed Book 383, at Page 596 of the Henderson County Registry.