

FILED IN HENDERSON COUNTY REGISTER OF DEEDS
 OFFICE. NEDRA W. MOLES, REGISTER
 DATE: 8-8-08 TIME: 9:55 A.M.
 EXCISE TAX STAMP: _____
 BOOK: 1369 PAGE: 636

Excise Tax \$ 0.00

Tax Lot No.

Parcel Identifier No.

Verified by _____ County on the _____ day of _____, 20____
 by _____

Mail after recording to D. Samuel Neill, 222 Third Avenue West, Hendersonville, NC 28739
 This instrument was prepared by D. Samuel Neill

Brief Description for the index

Lots 9, 10 & 11 Weisburg, Pullen & Orovitz S/D

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this the 1st day of August, 2008, by and between

GRANTOR	GRANTEE
JOHN A. BERNING, JR., single	DIANE J. RHOADES, single (Mailing Address: 323 Blythe 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:

The purpose of this deed is to correct the legal description.

BEING all of Lots 9, 10 & 11 of the WEISBURG, PULLEN and OROVITZ SUBDIVISION as shown on that plat thereof recorded in Plat Book 2, Page 63, and Plat Cabinet B, Slide 133A, Henderson County Registry, reference to which is hereby made for a more definite metes and bounds description thereof.

Subject to and benefitted by the right of way of Blythe Street widened to its full legal width for road and utility purposes.

BEING that property previously recorded in Deed Book 1136 at Page 457, Henderson County Registry. BEING all that property conveyed to John A. Berning, Jr. as found in Deed Book 954 at Page 634, Henderson County Registry.

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 except for the exceptions hereinafter stated.

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

Subject to that Deed of Trust recorded in Book 1266 at Page 117, Henderson County Registry.

Subject to Easements, Restrictions and Rights of Way of Record.

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.

By: _____

John A. Berning, Jr. (SEAL)
JOHN A. BERNING, JR.

(SEAL)

(SEAL)

(SEAL)

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

NOTARY ACKNOWLEDGMENT

I, Constance R. Penfold, a Notary Public of the County and State aforesaid, certify that **JOHN A. BERNING, JR.**, Grantor(s), who is/are personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) described, personally appeared before me this day and acknowledged the voluntary execution of the foregoing instrument. Witness my hand and official stamp or seal, this 1st day of August, 2008.

NOTARY STAMP/SEAL BELOW
(must be no closer than 1/2" of left margin)



Constance R. Penfold
Notary Public
My commission expires: _____

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

NOTARY ACKNOWLEDGMENT

I,, a Notary Public of the County and State aforesaid, certify that , who is personally known to me or proved to me on the basis of satisfactory evidence to be the person described, personally came before me this day and acknowledged that he/she is (Vice) President of , a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed voluntarily in its name by its (Vice) President. Witness my hand and official stamp or seal, this day of , 20.

NOTARY STAMP/SEAL BELOW
(must be no closer than 1/2" of left margin)

Notary Public
My commission expires: _____