

Deed, NC, Polk, Melissa Ida Moore Brian

STATE OF NORTH CAROLINA

DEED OF EXECUTRIX

COUNTY OF POLK

THIS DEED, made this day of 199 by and between **KATHRYN W. ASH**, as Executrix under the Will **NEAL ASH**, deceased, hereinafter referred to as "Grantor"; **KATHRYN W. ASH**, as Trustee under the Will of **NEAL ASH** deceased. hereinafter referred to as "Grantee".

WITNESSETH:

THAT WHEREAS, **NEAL ASH** was seized of an undivided two-thirds (2/3) interest in certain real property located Green Creek Township, Polk County, North Carolina; and

WHEREAS, said **NEAL ASH** died testate April 8, 1985, resident of white County, Georgia, and devised said two-thirds (2/3) undivided interest in said real property to his wife **KATHRYN W. ASH**, as Executrix and Trustee under said Will, will appear by reference to an exemplified copy of said Will recorded in File 90E62 in the office of the Clerk Superior Court of Polk County; and

WHEREAS, **KATHRYN W. ASH** has duly qualified and is now acting as Executrix and Trustee under the Will of said **NEAL ASH**, deceased;

NOW THEREFORE, Grantor, in consideration of the premises and the power end authority contained in said Will, and the sum of Ten (\$10.00) dollars to her paid by Grantee, receipt of which is hereby acknowledged, has and by these presents doth grant, bargain, sell, and convey unto Grantee, as Trustee under Item Ten of the Will of **NEAL ASH**, deceased, her successor and assigns forever, an undivided two-thirds (2/3) interest in fee simple in and to certain real property located in Green Creek Township, Polk County, North Carolina, more particular, described as follows:

TRACT I: Being all of tract number four as allotted to **JOHN H. BRIAN, JR.** by the report of the Commissioners in the division of the lands of the late **MELISSA I. BRIAN**, which report is recorded in Deed Book 89, Page 275, of the Polk County Registry, and to which report reference is hereby made, said land lying on the East side of Green River and being described by calls and distances as follows:

BEGINNING at a stake in the south line of the **D. T. MCLEAN** land at the common north corner between lots number four and five of the **MELISSA I. BRIAN** lands and the line runs thence with the line of the **MCLEAN** land South 84 degrees 30 minutes West 1221 feet to an iron pin, a corner of the **MCLEAN** land; thence continuing with the line of the **MCLEAN** land South 8 degrees 15 minutes East 1980 feet to an iron pin at the corner at the **MCLEAN** land and at the northeast corner of lot number two of the **MELISSA I. BRIAN** land; thence with the dividing line between lots number two and four South 5 degrees East 3115 feet to a point in the center of Green River at the common south corner between lots number two and four: thence with the center of Green River the south corner between lots number four and five of the **MELISSA I. BRIAN** land; thence with the dividing line between lots number four and five the following calls and distances: North 73 degrees West 972 feet to an iron pin, thence North 7 degrees 30 minutes West 1472 feet to an iron pin, thence North 85 degrees East 198

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feet to a point in a spring near a house, same being an old beginning corner at lot number four: thence North 7 degrees 30 minutes West 2840 feet to the place of BEGINNING, containing 170.8 acres, more or less. This description being according to a survey by **FRED A. WILKIE**, Registered Surveyor, in January, 1968.

TRACT II: Being all of that part of tract number two lying on the East side of Green River which was allotted to **HOWARD E. BRIAN** by the report of the Commissioners in the division of the lands of the late **MELISSA I. BRIAN**, which report is recorded in Deed Book 89, Page 275, in the Polk County Registry, end to which report reference is hereby made, and being described by cells and distances as follows:

BEGINNING at a point in the center of Green River at the southwest corner of the **D. T. MCLEAN** tract of land, the line runs thence with the center of Green River the following calls and distances: South 9 degrees East 143 feet, South 45 degrees West 179 feet, South 75 degrees West 66 feet, North 37 degrees West 155 feet, North 75 degrees West 386 feet, South 88 degrees West 236 feet, South 46 degrees 30 minutes West 216 feet, South 10 degrees West 541 feet, South 6 degrees East 105 feet, South 18 degrees East 561 feet, South 20 degrees East 1900 feet, North 83 degrees East 100 feet, North 74 degrees East 500 feet, and South 86 degrees East 230 feet to a point in the center of Green River at the common south corner between lots number two and four of the **MELISSA I. BRIAN** lands; thence with the dividing line between lots number two and four North 5 degrees West 3115 feet to an iron pin, corner of the **D. T. MCLEAN** land and a corner of lot number four; thence with the **MCLEAN** line South 80 degrees 45 minutes West 414 feet to the piece of BEGINNING, containing 69.2 acres, note or less. This description being according to a survey by **FRED A. WILKIE**, Registered Surveyor, in January, 1966.

TRACT III: Being the remaining part of the land contained in the description in the deed recorded in Deed Book 107, at Page 71, Polk County Registry, and described by calls and distances according to a survey by **FRED A. WILKIE**, Registered Surveyor, in September, 1967, as follows:

BEGINNING at a point in the center of Green River at the northeast corner of the **JOHN BRIAN** tract of land. and the line runs thence with the center of Green River as follows: North 35 degrees East 250 feet, North 50 degrees East 200 feet; North 65 degrees East 300 feet, North 86 degrees East 200 feet, and south 63 degrees East 162 feet to a point in the center of said river at the corner of the **NANCY B. WORLEY** lot; thence leaving the river North 57 degrees 45 minutes East 148 feet to a point in farm road at the West corner of the **ALTON D. MARRELL** lot; thence North 88 degrees East 614 feet to an iron pin, corner of the **JOHN CROWDER**'s land; thence North 28 degrees East 453 feet to a rock, **CROWDER**'s corner; thence North 56 degrees 5 minutes West 1122 foot to a Red Oak, **CROWDER**'s corner; thence north 15 degrees East 490 feet to an iron pin; thence North 56 degrees West 700 feet to an iron pin, a corner at Champion Papers Company land; thence North 10 degrees 15 minutes West 2145 feet to an iron pin, Champion Paper Company corner; thence South 84 degrees 30 minutes West 1200 foot to an iron pin; thence with the **JOHN BRIAN** line, south 7 degrees 30 minutes East 2840 feet to a stake; thence South 85 degrees

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West 198 feet to a stake, **BRIAN**'s corner; thence South 7 degrees 30 minutes East 1472 feet to a stake; thence South 73 degrees East 972 feet to the place of BEGINNING, containing 169 acres, more or less.

SAVE AND EXCEPT FROM THE ABOVE DESCRIBED TRACT III THE FOLLOWING FOLLOWING TRACTS:

A. That 2.11 acre: tract of land conveyed by **T. A. RODDY** to **NANCY B. WORLEY**, by deed dated December 8, 1962, recorded in Book 125, Page 212, Polk County Registry.

B. That 1.51 acres tract of land conveyed by **T. A. RODDY** to **ALTON D. MORRELL** by deed dated December 8, 1962, recorded in Book 125, Page 213, Polk County Registry.

C. That tract of land, containing 4.7 acres, more or loss, conveyed by **T. A. RODDY** to **GROVER B. REEL** and wife, by those deeds recorded in Book 126, Page 152, Polk County Registry; and Book 140, Page 75, Polk County Registry.

The above described property is the identical property conveyed to **ROY ASH, NEAL ASH, and W. A. ASH, JR.**, by deed dated January 15, 1973, recorded in deed Book 158, Page 18, Polk County Registry. Said **ROY ASH** conveyed his undivided one-third (1/3) interest in and to said real property to **NEAL ASH** by deed dated February 8, 1980, recorded in Dead Book 174, Page 711, Polk County Registry, whereupon said **NEAL ASH** became soiled of an undivided two-thirds (2/3) interest in and to said property.

Said **NEAL ASH** died testate April 8, 1985, a resident of White County, Georgia, and devised his two-thirds (2/3) undivided interest in and to the above described property to his wife, **KATHRYN W. ASH**, Executrix and Trustee as will appear by reference to an exemplified copy of his will recorded in file in the Office of the Clerk of Superior Court of Polk County, North Carolina.

Reference is made to that Deed of Easement executed by **WILLIAM B. CANTRELL** and wife, **ELLEN C. CANTRELL**, dated March 1, 1990 recorded in Book 205 Page 756 Polk County Registry.

privileges and appurtenances thereto belonging to Grantee in fee simple.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal the day and year first above written.

KATHRYN W. ASH,
Executrix under
the Will of **NEAL ASH**, deceased

STATE OF GEORGIA
COUNTY OF WHITE

I, a Notary Public of the County and State aforesaid certify that **KATHRYN W. ASH**, as Executrix under the Will of **NEAL ASH**, deceased, the Grantor herein, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 31 day of January, 1990.

ELAIN D. THOMAS
Notary Public

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