

PREPARED BY AND RETURN TO:

Carolyn Clark Snipes
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STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

RELEASE DEED

THIS RELEASE DEED, made this ____ day of _____ 2018, by and between **BUNCOMBE COUNTY**, Party of the First Part, and **EAGLE MARKET PLACE, LLC, a North Carolina limited liability company**, Party of the Second Part.

WITNESSETH:

WHEREAS, the Party of the Second Part, as Grantor, on January 22, 2013 executed a Deed of Trust to Michael C. Frue, Trustee for Buncombe County, securing the amount of Three Hundred Thousand Dollars (\$300,000.00), which is recorded in Book 5062 at Page 222 in the Office of the Register of Deeds for Buncombe County, North Carolina, to secure certain indebtedness therein described, due and payable to Lender; and

WHEREAS, the Party of the Second Part has requested that the Party of the First Part release from the lien of said Deed of Trust a portion of the lands conveyed as hereinafter described, and Lender, as holder of the Note and Deed of Trust, has agreed to do so and has requested the Trustee to join in said release;

NOW, THEREFORE, the Party of the First Part, for and in consideration of the sum of Ten and no/100 dollars (\$10.00) paid by the Party of the Second Part, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise, release and forever quitclaim unto the Party of the Second Part, its successors and assigns, the land described on Exhibit A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD said lands and premises described on Exhibit A, together with all privileges and appurtenances thereunto belonging to them, to the said Party of the Second Part, its successors and assigns, free and discharged from the lien of the Deed of Trust recorded in Book 5062 at Page 222, Buncombe County Registry.

BUT IT IS UNDERSTOOD AND AGREED that this release shall apply only to so much of said lands as are herein expressly described and conveyed, and that as to the remainder of said lands, said Deed of Trust shall be and remain in full force and effect.

IN WITNESS WHEREOF, the Party of the First Part have executed this Release Deed, as of the day and year first above written.

Attest:

COUNTY OF BUNCOMBE

County Clerk
(official seal) By: _____
George A. Wood, Interim County Manager

EAGLE MARKET PLACE, LLC
By: Mountain Housing Opportunities, Inc.,
Managing Member

By: _____
R. Scott Dedman, President

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, _____, a Notary Public of the County and State aforesaid certify that Lamar Joyner personally came before me this day and acknowledged that he is the County Clerk of County of Buncombe, and that by authority duly given by the corporation, the foregoing instrument was signed in its name by its Interim County Manager and attested by himself as its County Clerk.

Witness my hand and notarial seal this ____ day of July 2018.

Notary Public
My Commission Expires: _____

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, _____, a Notary Public of the County and State aforesaid certify that R. Scott Dedman personally appeared before me this day and acknowledged that he is the President of Mountain Housing Opportunities, Inc., Managing Member of Eagle Market Place, LLC and by the authority given by the corporation, acknowledged the execution of the foregoing instrument on behalf the corporation, as Managing Member of Eagle Market Place, LLC.

Witness my hand and notarial seal this ____ day of July 2018.

Notary Public
My Commission Expires: _____

EXHIBIT A

Being all of Unit 100 of Eagle Market Place Condominium as described in that Declaration of Condominium for Eagle Market Place Condominium, which Declaration is recorded in Book _____ at Page _____, Buncombe County Registry, reference to which is hereby made for a more particular description. A plat of Eagle Market Place Condominium is recorded in Plat Book _____ at Page _____, Buncombe County Registry. The architect's plans for Eagle Market Place Condominium are recorded in File _____, Buncombe County Registry. Together with an undivided interest in the Common Elements of Eagle Market Place Condominium as set forth in said Declaration.