

Prepared by: Michael C. Frue, Buncombe County Attorney

Return to: Brandon Knolls, LLC.; 19 Deerun Drive, Asheville, NC 28803

Stamps: \$ 0.00

STATE OF NORTH CAROLINA	)	
	)	<b>NON-WARRANTY DEED</b>
COUNTY OF BUNCOMBE	)	

THIS NON-WARRANTY DEED, made this the \_\_\_\_ day of October, 2011, by and between County of Buncombe, a body politic and corporate, party of the first part, herein sometimes referred to as "Grantor", and Brandon Knolls, LLC., a North Carolina limited liability company, 19 Deerun Drive, Asheville, NC 28803, party of the second part, herein sometimes referred to as "Grantee":

**WITNESSETH:**

WHEREAS, the Grantor is the owner of certain tract or parcel of land containing 65.21 acres, more or less, commonly referred to as the old Volvo facility, as same is set forth and described in deeds recorded in Record Book 4895, Page 353 and Record Book 4895, Page 358 Buncombe County, NC Registry;

WHEREAS, a very small, oddly shaped portion of the old Volvo facility property, being 0.035 acres, more or less, is located outside the fence line of the facility and is surplus property;

WHEREAS, in accordance with NCGS §160A-269 Buncombe County received an offer for this 0.035 acres and after due advertisement no raised bid was made to Buncombe County; and

WHEREAS, Buncombe County has determined that it will accept the bid of Grantee and, pursuant to Resolution of the Buncombe County Commissioners dated and adopted on October 18, 2011, tenders this deed upon receipt of the amount so bid.

NOW, THEREFORE, in consideration of the premises and in consideration of the payment of One Hundred Forty and 00/100 (\$140.00) Dollars, said County of Buncombe, by and through its Chairman of the Board of Commissioners of Buncombe County, does hereby give, grant, bargain, sell, and convey unto the Grantee, its heirs, successors and assigns, in fee simple, all of that certain lot or parcel of land situated in the City of Asheville, Buncombe County, North Carolina, and being more particularly described as follows:

BEGINNING at a point, said point being located the following two (2) courses from NCGS Monument "Kelvin," Northing = 648114.80,' East = 951043.17,' NAD 83(2007): North 59° 06' 15" West 1,036.45 feet to an 8" diameter concrete monument and North 07° 39' 47" West 51.81 feet to the point of beginning; and thence from said beginning point thus established, North 13° 01' 51 West 192.42 feet to a point; thence North 82° 16' 29" East 18.00 feet to a ½" iron pipe found; and thence South 07° 39' 47" East 191.59 feet to the point and place of the BEGINNING. Description prepared based on survey of Martin A. Barnes, PLS of Ed Holmes & Associates Land Surveyors, PA and dated August 26, 2011. Said property is shown on the records of the Buncombe County Tax Office as PIN#: 9654-08-1821.00000.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land together with all rights, privileges and appurtenances thereunto belonging unto the said Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, County of Buncombe has caused this instrument to be executed by its Chairman, attested to by its Clerk, and its seal to be hereunto affixed all by authority duly given by resolution referenced above and of even date herewith this the day and year first above written.

COUNTY OF BUNCOMBE

By: \_\_\_\_\_  
David Gantt, Chairman

ATTEST:

\_\_\_\_\_  
Kathy Hughes, Clerk to the Board

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, \_\_\_\_\_, Notary Public for said County and State, has personal knowledge of the identity of Kathy Hughes, and hereby certifies that said Kathy Hughes, Clerk to the Board, personally appeared before me this day and acknowledged that she is Clerk to the Board of Commissioners of County of Buncombe and that David Gantt is the Chairman of the Board of Commissioners of Buncombe County, and that by authority duly given and as the act of the County of Buncombe, the foregoing instrument was signed in its name by said Chairman, sealed with its official seal, and voluntarily attested to by herself as its Clerk as the act and deed of the County of Buncombe, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the \_\_\_\_ day of October, 2011.

\_\_\_\_\_

My Commission Expires:

Notary Public