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Fee Amt: \$28.00 Page 1 of 2
Workflow# 0000307448-0003
Buncombe County, NC
Drew Reinsider Register of Deeds

BK 5347 Pg 17-18

Prepared by and after recording hold for:
William T. Biggers - Box #98

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE


NOTICE OF RECORDING IN ERROR IN PREVIOUSLY RECORDED INSTRUMENT
(Pursuant to North Carolina General Statute §47-36.1)

Before me, the undersigned authority, personally appeared William T. Biggers Attorney at Law (the "Affiant"), who after being by me first duly sworn, deposes and says as follows:

1. That a written instrument (the "Instrument"), prepared and recorded by Affiant, the instrument more particularly described below, has heretofore been recorded in the Office of the Register of Deeds of Buncombe County, North Carolina.
 - a. Description of Instrument: North Carolina General Warranty Deed
 - b. Date of Instrument: March 18, 2015
 - c. Parties to Instrument: Grantors ROSA C. GAGE, unmarried widow; BREANNE GAGE KUHNEN and husband BRADLEY KUHNEN; and JOHN GAGE, III unmarried, and Grantees ELDON A. HUGGLER and wife ANTIONETTE HUGGLER.
 - d. Recording Information of Instrument: Recorded on March 31, 2015 at Deed Book 5299 Page 764-769 in the Buncombe County Registry.
2. That the Instrument contains the following error (the "Error"): the Instrument was recorded in the Buncombe County Register of Deeds in error. The property being in Henderson County, should have been recorded in Henderson County, not in the Buncombe County registry. The Instrument was recorded in Henderson County on August 19, 2015.
3. That the following is the correct information to give notice of the Error: the property, being in Henderson County, should be (and has been) recorded in the Henderson County Registry.

- 4. This affidavit is prepared, executed and recorded, pursuant to the North Carolina General Statutes §47-36.1 (the "Statute"), for the purpose of giving notice of the error in the instrument pursuant to the Statute.

This ²⁰ day of August 2015.


 William T. Biggers, Attorney at Law

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

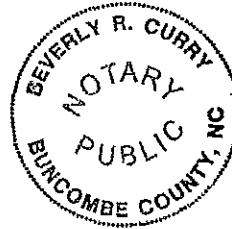
I, the undersigned, a Notary Public in and for the County and State aforesaid, hereby certify that William T. Biggers, Attorney at Law and Affiant ("Affiant"), personally known to me or known to me by Affiant's presentation of said Affiant's North Carolina Driver's License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing affidavit.

Witness my hand and official stamp, this the 20 day of AUGUST, 2015.


 Notary Public

(STAMP OR SEAL)

My Commission expires: 8-31-2018



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WILLIAM T. BIGGERS
CERTIFIED SUPERIOR COURT MEDIATOR
JENNIFER M. TURNER

August 24, 2015

Attorney Michael Frue
Buncombe County Legal Department
200 College Street, Suite 300
Asheville, NC 28801

Re: Refund of Overpayment of Tax Matter

Dear Mr. Frue,

I am addressing this letter to you in response to our telephone conversation of August 20, 2015. Thank you for your advice and for your time in speaking with me.

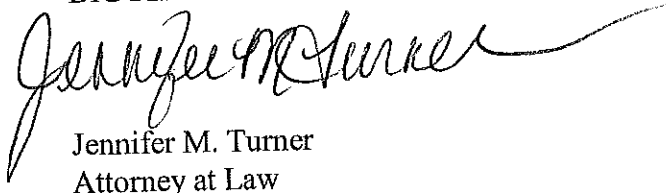
I am requesting a refund of overpayment of tax on behalf of my firm, Biggers & Associates, PLLC. We mistakenly recorded a deed in the Buncombe County Register of Deeds that should have been recorded in the Henderson County Register of Deeds. We also mistakenly paid revenue stamps \$660.00 to Buncombe County in addition to paying the revenue stamps of \$660.00 to Henderson County. This is the amount we are requested to be refunded.

We have filed a Notice of Recording Error in the Buncombe County Register of Deeds per the requirements of North Carolina General Statute §105-228.37. We have also recorded the deed in Henderson County Register of Deeds.

Per the statute, I am requesting that this matter be placed on the first available calendar for the Buncombe County Board of Commissioners calendar to be addressed.

Sincerely,

BIGGERS & ASSOCIATES, PLLC



Jennifer M. Turner
Attorney at Law