

STATE OF NORTH CAROLINA

COUNTY OF POLK

DEED OF EXECUTRIX

THIS DEED, made this 31 day of January, 1999, by and between KATHRYN W. ASH, as Executrix under the Will of Neal Ash, deceased, hereinafter referred to as "Grantor"; and KATHRYN W. ASH, as Trustee under the Will of Neal Ash, deceased, hereinafter referred to as "Grantee";

W I T N E S S E T H:

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 90 E 62 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 and 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 do grant, bargain, sell, and convey unto Grantee, as Trustee under Item Ten of the Will of Neal Ash, deceased, her successors 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 particularly described as follows:

TRACT I: Being all of tract number four as allotted to John M. 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 of 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 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, and to which report reference is hereby made, and being described by calls 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 place of BEGINNING, containing 89.2 acres, more or less. This description being according to a survey by Fred A. Wilkie, Registered Surveyor, in January, 1968.

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 88 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 Nancey E. 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. Merrell lot; thence North 88 degrees East 614 feet to an iron pin, corner of the John Crowder land; thence North 28 degrees East 453 feet to a rock, Crowder's corner; thence North 56 degrees 5 minutes West 1122 feet 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 of 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 feet 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 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 TRACTS:

A. That 2.11 acres tract of land conveyed by T.A. Roddy to Nancy E. 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. Merrell 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 less, 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 Deed Book 174, Page 711, Polk County Registry, whereupon said Neal Ash became seized 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, as Executrix and Trustee, as will appear by reference to an exemplified copy of his will recorded in File 90 E 62 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 E. Cantrell and wife, Ellen C. Cantrell, dated March 1, 1992, 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 (SEAL)
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.

Clair D. Thomas
Notary Public

My commission expires:

Notary Public, White County, Georgia
My Commission Expires July 24, 1991

I hereby certify that the within deed has been presented to the Tax Supervisor and the conveyance is noted on the tax records.

This 14th day of March, 1990
Clair D. Thomas
Tax Supervisor

NORTH CAROLINA, POLK COUNTY

The foregoing certificate of Clair D. Thomas
Notary Public/Notarizing Public is/are certified to be correct.
This instrument was filed for registration on the 14th day
of March, 1990, at 11 o'clock
A.M. and recorded in this office in Book 205
Page 808
Doris M. Soggin
Register of Deeds