

2022053490 00092

FORSYTH COUNTY NC FEE \$26.00
 NO TAXABLE CONSIDERATION
 PRESENTED & RECORDED
 12/02/2022 12:19:14 PM
 LYNNE JOHNSON
 REGISTER OF DEEDS
 BY: ANGELA BOOE, DPTY
 BK: RE 3731
 PG: 209 - 212

Excise Tax \$0.00

Recording Time, Book and Page

Parcel Identifier No. **6816-70-5104**

Verified by _____ County on the _____ day of _____, 20____

HOLD FOR BRINKLEY WALSER STONER, PLLC, P.O. Box 1657, Lexington, NC 27293

This instrument was prepared by David E. Inabinett, Attorney at Law, P. O. Box 1657, Lexington, NC 27293

Brief Description for the index

Tract, Winston-Salem Township

NORTH CAROLINA GENERAL WARRANTY DEEDTHIS DEED made the 2 day of December, 2022, by and between:**GRANTOR**

John A. L. Currie and wife, Mary Lawrence Currie
2862 Fairmont Road
Winston-Salem, NC 27106

GRANTEE

John A. L. Currie and Mary Lawrence Currie, Trustees
under the John A. L. Currie and Mary Lawrence Currie
Trust dated April 25, 2013.
2862 Fairmont Road
Winston-Salem, NC 27106

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple all that certain lot or parcel of land situated in Winston-Salem Township, Forsyth County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein.

THIS CONVEYANCE IS MADE SUBJECT TO THAT CERTAIN DEED OF TRUST DATED APRIL 20, 2020, BY AND BETWEEN JOHN A. L. CURRIE AND MARY LAWRENCE CURRIE (GRANTORS) AND THE TITLE COMPNAY OF NC, TRUSTEE FOR CBC NATIONAL BANK MORTGAGE, A DIVISION OF FIRST FEDERAL BANK (LENDER) AND RECORDED IN BOOK 3520, PAGE 3025, FORSYTH COUNTY REGISTRY, IN THE ORIGINAL PRINCIPAL AMOUNT OF \$481,800.00.

Submitted electronically by "Brinkley Walser Stoner, PLLC"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Forsyth County Register of Deeds.

THIS CONVEYANCE IS FURTHER MADE SUBJECT TO THAT CERTAIN DEED OF TRUST DATED JUNE 30, 2022, BY AND BETWEEN JOHN A.L. CURRIE AND WIFE, MARY LAWRENCE CURRIE (GRANTORS) AND BB&T COLLATERAL SERVICE CORPORATION, TRUSTEE FOR TRUIST BANK (LENDER) AND RECORDED IN BOOK 3706, PAGE 2204, FORSYTH COUNTY REGISTRY, IN THE ORIGINAL PRINCIPAL AMOUNT OF \$250,000.00.

DEED PREPARATION ONLY, NO TITLE OPINION RENDERED

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book ____ Page ____.

A map showing the above described property is recorded in Plat Book ____, Page ____.

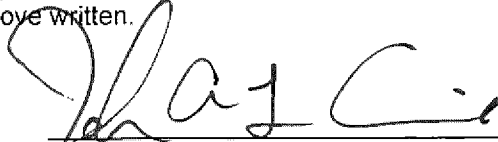
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

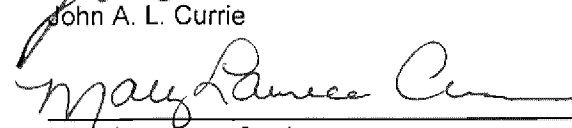
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

All easements, rights-of-ways, restrictions, and reservations of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

 (SEAL)
John A. L. Currie

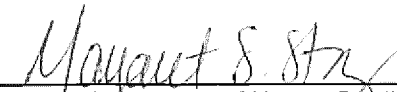
 (SEAL)
Mary Lawrence Currie

NORTH CAROLINA

DAVIDSON COUNTY

I certify that the following persons personally appeared before me this day, acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: John A. L. Currie and Mary Lawrence Currie

Date: 12/02/2022

 (Official signature of Notary Public)

My commission expires: 09/18/2023

SEAL-STAMP



EXHIBIT "A"

BEGINNING at an iron pipe located in the south right-of-way line of Fairmont Road, said iron stake being located at the northwest corner of the property know as Tax Lot 18, Block 2958 as shown on the Forsyth County Tax Maps as presently constituted; running thence with west property line of said Tax Lot 18 South 17° 43' 44" East 200.16 feet to an iron stake at the southwest corner of said Tax Lot 18; running thence with the south property line of said Tax Lot 18 the two following courses and distances: (1) North 72° 24' 56" East 30.9 feet to an iron pipe, and (2) North 68° 42' 26" East 10.25 feet to an iron pipe, a corner of the property of Andrew J. Schindler (see deed recorded in Book 1653, at page 2957 of the Forsyth Public County Registry); running thence with the property line of said Schindler South 34° 03' 00" East 124.39 feet to a point in the centerline of a creek known as Buena Vista Branch and a corner with the property owned by Jack N. Shwab (see deed recorded in Book 2009 at page 1666 of the Forsyth County Public Registry); running thence with the centerline of said creek and with the north property line of said Shwab the six (6) following courses and distance: (1) South 42° 53' 38" West 26.89 feet to a point; (2) South 67° 03' 31" West 75.61 feet to a point, (3) South 50° 46' 18" West 48.24 feet to a point, (4) South 40° 02' 27" West 16.6 feet to a point, (5) South 66° 18' 51" West 29.14 feet to a point, and (6) South 74° 39' 31" West 55.76 feet to a point in the centerline of said creek, a northeast corner with the property of Thomas D. Calloway, Jr. and wife Nancy Jane S. Calloway (the "Calloways" – see deed recorded in Book 1953 at page 4092 of the Forsyth County Public Registry) and continuing thence with the centerline of said creek and with the north property line of the Calloways the two (2) following courses and distances: (1) South 81° 56' 26" West 76.58 feet to a point, and (2) South 64° 23' 45" West 164.73 feet to a point in the center of said creek and in the east property line of the property of Ron Midura (now or formerly); running thence with the line of said Midura North 22° 29' 35" West 177.82 feet to an iron pipe in the south line of Lot 15 (the property of David L. Bodenhamer now or formerly); running thence with the south property line of said Bodenhamer and continuing with the south property line of Lot 16 (the property of Nick G. Chryson, Jr. now or formerly) North 72° 44' 54" East 170.49 feet to an iron pipe in the south property line of Tax Lot 16D, of Tax Block 2958; running thence with the south property line of said Tax Lot 16D and continuing with the south line of Tax Lot 16A North 71° 57' 36" East 98.81 feet to an iron stake, the southwest corner of Tax Lot 17 (the property of John R. Loftin); running thence with the south line of said Loftin North 72° 24' 56" East 125.24 feet to a new iron stake located at the southwest corner of the property of the Calloways (see Deed recorded in Book 1759 at page 631 of the Forsyth Public Registry); running thence with the west line of said Calloways property North 17° 43' 44" West 200.22 feet to a point in the south right-of-way line of Fairmont Road; running thence with said right-of-way line North 72° 33' 00" East 25 feet to the point and place of BEGINNING, and containing 1.825 acres, more or less, as taken from a survey prepared by Beeson Engineering Inc. dated June 27, 1997 and revised July 29, 1999 and September 28, 1999.

The above-described property is conveyed together with and subject to the benefits of that certain perpetual easement five (5) feet in width for ingress, egress and regress from and to Fairmont Road and the burdens of a perpetual easement two (2) feet in width for a driveway turning area. Both of the above easements are described in deed to Thomas D. Calloway, Jr. and wife, Nancy Jane S. Calloway, recorded in Book 1759, at page 631, of the Forsyth County, N.C. Register's Office, reference to said deed being made in aid of description. In addition, the above-described property is conveyed together with and subject to the benefits and burdens of that certain Grant of landscape Easement dated September 28, 1999 made and entered into by John R. Loftin and wife, Meta W. Pauling Loftin and Thomas D. Calloway, Jr. recorded in Book 2088 at page 1316 of Forsyth County Public Registry, reference to which is hereby made.

Grantor and the Grantee, for the benefit of themselves and their respective heirs and assigns, do hereby agree as follows:

- a. The above-described property shall have a permanent view of the "English Garden" as described on Exhibit B attached hereto; and such English Garden shall remain as "green space" as that term is commonly understood with no temporary or permanent structures in the English Garden other than a gazebo that is proportionate to the area encompassing the English Garden.
- b. Grantor and Grantee shall have the mutual right, at their sole discretion, to maintain and improve the existing bridges (there are three) crossing Buena Vista Creek and located on the property hereby conveyed to Grantee; and any improvement to any of such bridges shall not substantially change the present character of any bridge without the consent of the other party, their heirs and assigns, which consent shall not be unreasonably withheld; provided further, the removal of any bridges will require the consent of the Grantor and the Grantee, or their respective heirs and assigns; and
- c. The Grantor, by deed to Jack N. Shwab and wife, Carolyn R. Shwab (the "Shwabs") recorded in Book 2009 at page 1666, Forsyth Public Registry, set forth certain provisions limiting improvements and tree removal and granting landscape rights in an area shown as Exhibit B on such Deed and entitled "Tree Removal Area and Landscape Maintenance Area"; and the Grantor, for themselves and their heirs and assigns, hereby agree that they will not exercise their approval rights with respect to the Restricted Area (as such term is defined in the Deed to the Shwabs) without the prior consent of the Grantee, or their heirs and assigns, which consent shall not be unreasonably withheld.

EXHIBIT "B"

BEGINNING at a point in the south property line of the real property described in Exhibit A and in the center of Buena Vista Branch at a common corner with the property of Jack N. Shwab and the property of Thomas D. Calloway, Jr. and wife, Nancy Jane S. Calloway; running thence with a common property line of said Shwab and Calloway South $17^{\circ} 56' 59''$ East 46.41 feet to a point; running thence on four (4) new lines within the property of said Calloway as follows: (1) South $52^{\circ} 54' 30''$ West 95.36 feet to a point; (2) South $64^{\circ} 26' 42''$ West 44.96 feet to a point; (3) on a curve to the right, said curve having a radius of 29.25 feet and an arc length of 45.93 feet, a chord bearing and distance of North $70^{\circ} 34' 46''$ West 41.35 feet to a point; and (4) North $25^{\circ} 36' 15''$ West 51.84 feet to a point in the center of Buena Vista Branch; running thence with the center of Buena Vista Branch the two following courses and distances: (1) North $64^{\circ} 23' 45''$ East 99.87 feet to a point; and (2) North $81^{\circ} 56' 26''$ East 76.58 feet to the point and place of beginning and being an area labeled as "Green Space" and also known as the "English Garden" as reflected on a survey by Beeson Engineering Inc., dated June 27, 1997 and revised 7-29-99, 9-29-99 and 9-30-99.