

North Carolina, Henderson County The foregoing certificate(s) of
Sally M. Thomas
Notary Public (~~Notaries Public~~) ~~is/are~~ certified to be correct, this
instrument presented for registration and recorded in this office
this 3 day of August, 2005
at 4:25 P. in book 1238, page 92

Hedra W. Miles
Register of Deeds

(Assistant Deputy)

Prepared By Sharon B Alexander
Deed Preparation Only

STATE OF NORTH CAROLINA

NON-WARRANTY DEED

COUNTY OF HENDERSON

THIS DEED, made and entered into this 7th day of April, 2005, by and between MORRIS MULLINAX and wife, ISABEL MULLINAX, (herein collectively referred to as the "party of the first part") and MORRIS WAYNE MULLINAX and TIMOTHY WAYNE MULLINAX (herein collectively referred to as "party of the second part" and having a mailing address of 2204 Old Spartanburg Road, East Flat Rock, NC);

WITNESSETH:

WHEREAS, the party of the first part has previously made a gift to the party of the second part of a one-third (1/3) interest in certain real estate in 2003 and another one-third (1/3) interest in the same real estate in 2004 and these gifts are represented by unrecorded deeds which the party of the first part wishes to combine such interests with this gift of the final one-third (1/3) interest in the same real estate.

The said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and Other Valuable Consideration to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell, and convey in fee simple unto said party of the second part, their heirs and assigns, a certain tract or parcel of land lying and being in Hendersonville Township, Henderson County, North Carolina, more particularly described as follows:

BEGINNING at an iron pin set at the northwestern corner of that property described in Deed of Record in Deed Book 958, Page 478, Henderson County Registry, and located in the 80 foot right-of-way for Upward Road (S.R. 1722) and running thence from said beginning point North 58 deg. 23 min. 40 sec. East 153.27 feet to an iron pin set; thence South 80 deg. 00 min. 53 sec. East 207.87 feet to an existing iron stake; thence South 08 deg. 35 min. 52 sec. West 386.64 feet to an existing iron pin; thence North 26 deg. 39 min. 42 sec. West 220.06 feet to an iron pin set; thence North 70 deg. 44 min. 27 sec. West 133.54 feet to an iron pin set; thence North 28 deg. 24 min. 39 sec. West 110.64 feet to an iron pin set being the point and place of BEGINNING, and containing 1.55 acres, more or less, and also being all of that property labeled as "Morris Wayne Mullinax and Timothy Wayne Mullinax" as shown on that plat of record at Plat Slide 4715 in the Office of the Register of Deeds for Henderson County, North Carolina.

BEING a portion of that property described in deeds of record in Deed Book 892, at page 568 and Deed Book 349, at page 287, in the office of the Register of Deeds for Henderson County, North Carolina.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, together with all privileges and appurtenances thereunto belonging to them, the said party of the second part and their heirs and assigns in fee simple forever.

IN TESTIMONY WHEREOF, said party of the first part has hereunto set their respective hands and seals the day and year first above written.

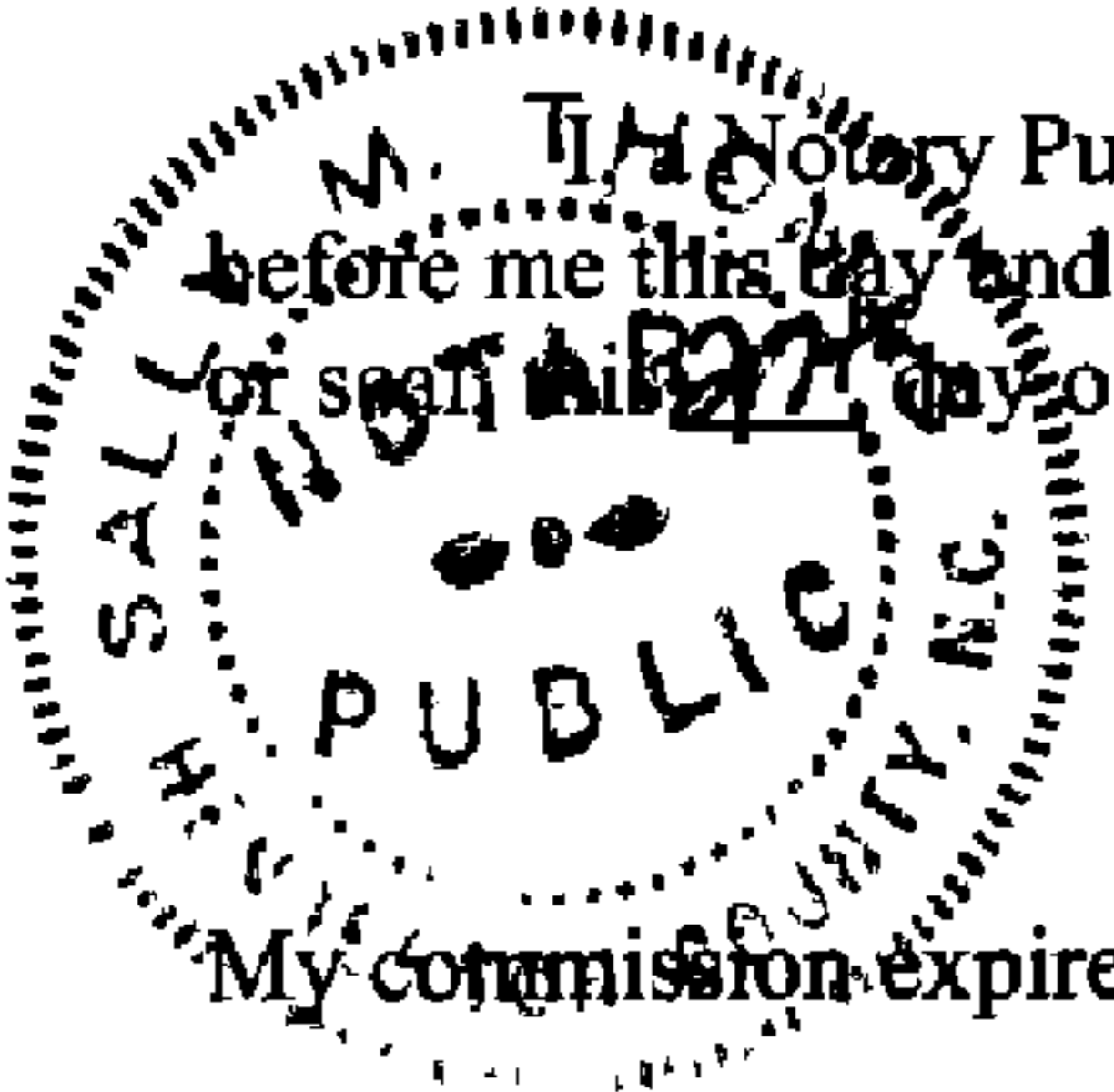
Morris Mullinax AIF Isabel Mullinax
MORRIS MULLINAX

Isabel Mullinax (SEAL)
ISABEL MULLINAX

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

I, the Notary Public of the County and State aforesaid, certify that ISABEL MULLINAX personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this 27th day of June, 2005.



Sally M Thomas
Notary Public

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

I, a Notary Public of the County and State aforesaid, certify that ISABEL MULLINAX, Attorney-in-Fact for MORRIS MULLINAX, personally appeared before me this day and being by me duly sworn, says that he executed the foregoing and annexed instrument for and on behalf of MORRIS MULLINAX, and that his authority to execute and acknowledge said instrument is contained in that document duly executed, acknowledged and recorded in the office of the Register of Deeds for Henderson County, North Carolina on May 20, 1996, in Deed Book 896, Page 687, and that this instrument was executed under and by virtue of the authority given by said document granting him power of attorney; that the said ISABEL MULLINAX acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and on behalf of the said MORRIS MULLINAX. Witness my hand and official stamp or seal, this the 27th day of June, 2005.



Sally M Thomas
Notary Public