NORTH CAROLINA QUITCLAIM DEED

Excise Tax: $0.00

Parcel Identifier No._____ Verified by _____ County on the ____ day of_____, 20__
By:_____

Mail/Box to: Pavey Law Firm, 33 Dillsboro Road, Sylva, NC 28779

This instrument was prepared by: Heather C. Baker, Jackson County Attorney

Brief description for the Index: Gap Area .001 Acres

THIS DEED made this _____ day of February, 2019, by and between

GRANTOR	GRANTEE
COUNTY OF JACKSON, A BODY POLITIC AND A SUBDIVISION OF THE STATE OF NORTH CAROLINA 401 Grindstaff Cove Road, Sylva, NC 28779	1609 EAST MAIN STREET, LLC, A North Carolina limited liability company 1609 East Main Street Sylva, NC 28779

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, have remised and released and by these presents do remise, release, and forever quitclaim into the Grantee and its heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in Sylva Township, Jackson County, North Carolina and more particularly described as follows:

Being the .001 Acres (393.25 Sq Feet) identified as Apparent Gap and shown on the survey map entitled "John Edwards" by Joel Johnson Land Surveying, Inc., dated January 7, 2019, recorded in Plat Cabinet _____, Slide_____, Jackson County Public Registry to which reference is hereby made for a full and complete description.

This transaction was authorized by Resolution of the Jackson County Board of Commissioners on February 20, 2019 at its regularly scheduled meeting after first being approved by Resolution of the Jackson County Board of Education, Leaseholder, on the 27th day of November, 2018.

NC Bar Association Form No. 7 © 7/2013
Printed by Agreement with the NC Bar Association

North Carolina Bar Association – NC Bar Form No. 7
North Carolina Association of Realtors, Inc. – Standard Form 7

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

All or a portion of the property herein conveyed ___ includes or _X_ does not include the primary residence of a Grantor.

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 and its assigns free and discharged from all right, title claim or interest of the said Grantors or anyone claiming by, and through or under them.

[SIGNATURES ON FOLLOWING PAGE]

NC Bar Association Form No. 7 © 7/2013
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IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

COUNTY OF JACKSON, A BODY POLITIC AND A SUBDIVISION OF THE STATE OF NORTH CAROLINA

By: _____ (SEAL)
BRIAN THOMAS MCMAHAN, CHAIRMAN

ATTEST:

By: _____
ANGELA M. WINCHESTER, CLERK TO THE BOARD

State of North Carolina - County Jackson

I, the undersigned Notary Public of the County of _____ and State aforesaid, has personal knowledge of the identity of Angela M. Winchester, and hereby certifies that said Angela M. Winchester, Clerk to the Board, personally appeared before me this day and acknowledged that she is Clerk to the Board of Commissioners of County of Jackson and that Brian Thomas McMahan is the Chairman of the Board of Commissioners of Jackson County, and that by authority duly given and as the act of the County of Jackson, 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 Jackson, all by its authority duly given by its governing body. Witness my hand and Notarial stamp or seal this _____ day of _____, 2019.

_____

My Commission Expires: _____ _____ Notary Public
(Affix Seal)

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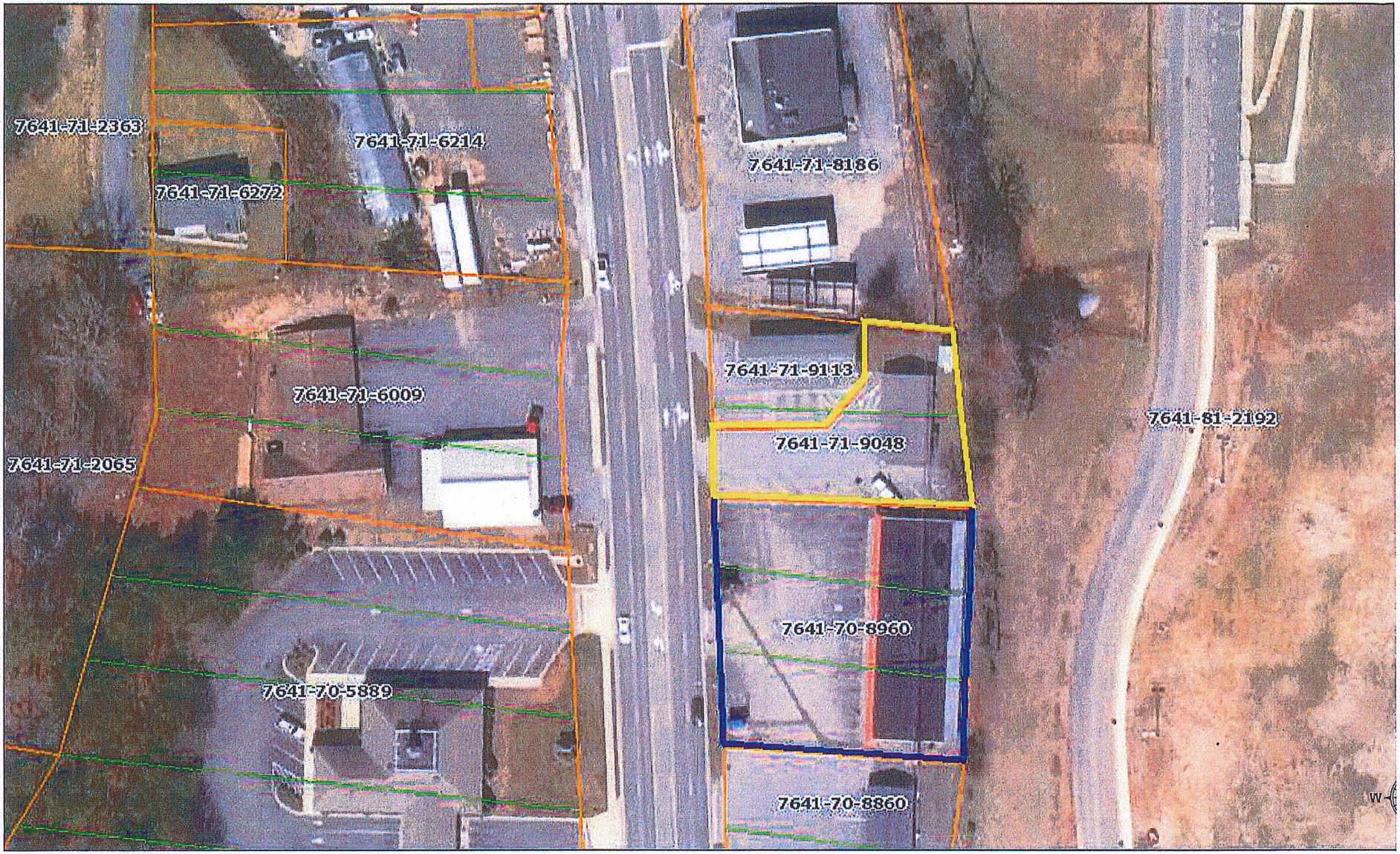
North Carolina Association of Realtors, Inc. – Standard Form 7



October 19, 2018

1:1,128

0 45 90 180 Fee

0 0.015 0.03 0.06

Information depicted hereon is for reference purposes only and is compiled from the best available sources. The County of Jackson assumes no responsibility for errors arising from use or misu

NOTES:

1. THIS SURVEY IS BASED ON DEED AND EXISTING MONUMENTATION AS SHOWN.
2. PARCEL MAY BE SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, RESERVATIONS AND RESTRICTIONS WRITTEN AND UNWRITTEN RECORDED AND UNRECORDED.
3. THE CERTIFICATION SHOWN HEREON IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCES.
4. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW
5. ALL DISTANCES ARE HORIZONTAL UNLESS OTHERWISE NOTED.
6. COPYRIGHT ℗, JOEL JOHNSON LAND SURVEYING. ALL RIGHTS RESERVED. REPRODUCTION OR USE OF THE CONTENTS OF THIS DOCUMENT; ADDITIONS OR DELETIONS TO THIS DOCUMENT, IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT OF THE LAND SURVEYOR IS PROHIBITED. ONLY COPIES FROM THE ORIGINAL OF THIS DOCUMENT, MARKED WITH AN ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
7. TRAVERSE ADJUSTED BY COMPASS METHOD TO 1 : 10,000.
8. PROPERTY HAS NOT BEEN INSPECTED FOR WETLANDS OR FLOOD HAZARDS.
9. ALL ADJOINING PROPERTY INFORMATION WAS TAKEN FROM CURRENT LAND RECORDS INFORMATION AS OF DATE OF SURVEY BUT IT SHOULD BE NOTED THAT ALL PUBLIC LAND RECORDS INFORMATION MAY NOT BE CURRENT OR UP TO DATE.

CERTIFICATE OF APPROVAL FOR RECORDING

I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE WATERSHED PROTECTION ORDINANCE AND IS APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OFFICE.

- WATERSHED ADMINISTRATOR - DATE

NOTICE : THIS PROPERTY IS NOT LOCATED IN A PUBLIC WATER SUPPLY WATERSHED AND MAY BE RECORDED IN THE REGISTER OF DEEDS OFFICE.

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

FILED FOR REGISTRATION AT _____ O'CLOCK _____ M THIS

THE _____ DAY OF _____, 2018 AND

RECORDED IN PLAT CAB. _____ AT SLIDE _____.

- REGISTER OF DEEDS -

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

I, _____, REVIEW OFFICER OF JACKSON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

- REVIEW OFFICER - DATE

I, R. JOEL JOHNSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (JACKSON CO. BK. 1904, PG. 128); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN ON PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000; THAT THIS PLAT MEETS THE REQUIREMENTS FOR A CLASS C SURVEY; THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION PER SECTION (f)(11)e. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 7th DAY OF JANUARY, A.D., 2019.

This document originally issued and sealed by
R. Joel Johnson, PLS L-3882, 01-07-2019
This media shall not be considered a certified document.

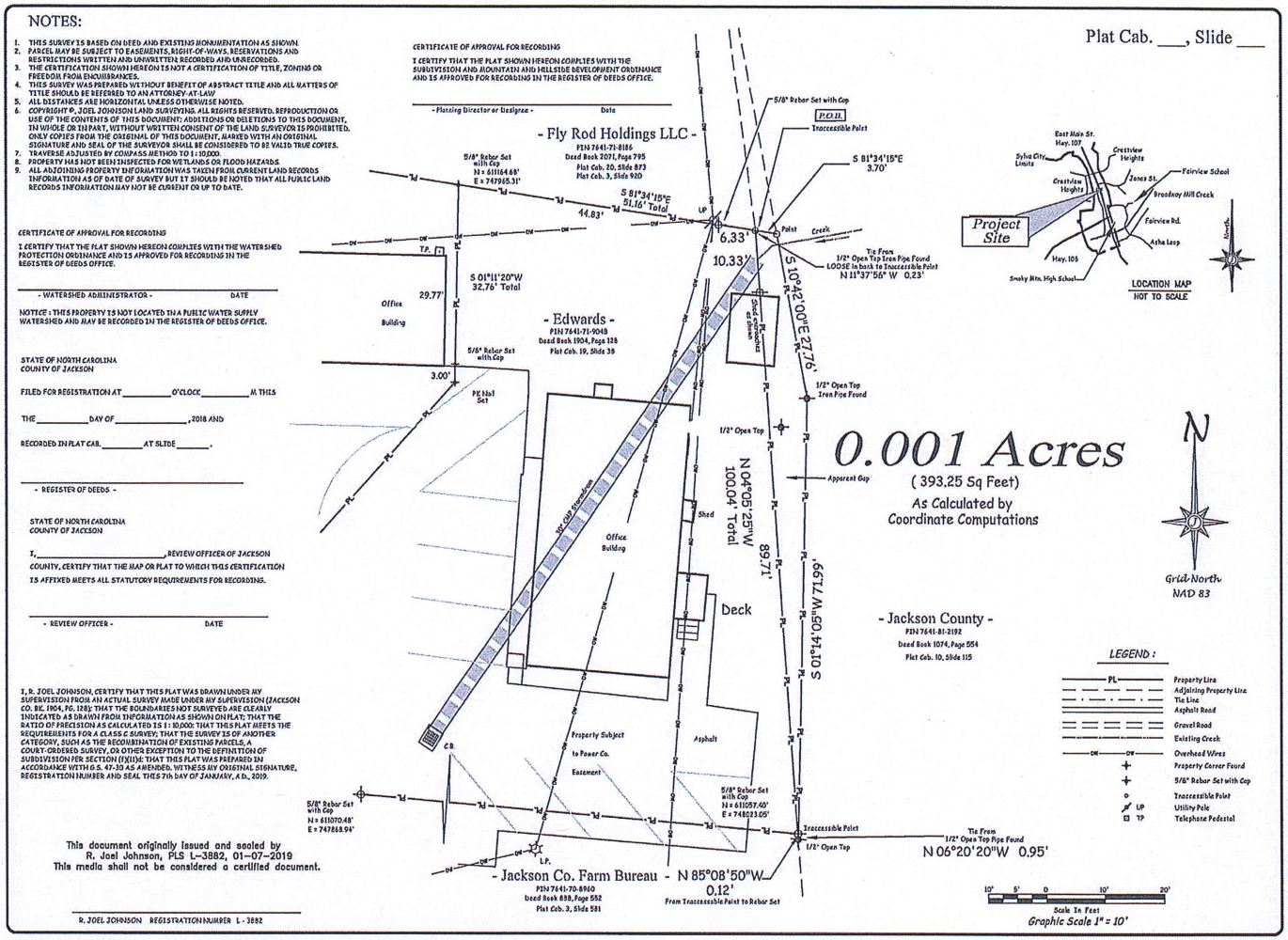
R. JOEL JOHNSON REGISTRATION NUMBER L - 3882

CERTIFICATE OF APPROVAL FOR RECORDING

I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE SUBDIVISION AND MOUNTAIN AND HILLSIDE DEVELOPMENT ORDINANCE AND IS APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OFFICE.

- Planning Director or Designee - Date

Plat Cab. ___, Slide ___



Field Crew	Johnson	Drawing Scale	1" = 10'		
Field Book	2018-02	PIN	7641-71-9048		
Data File	11008C	Title Source	1904-128		
Dwg. File	11-008-QUIT-CLAIM	Survey Date	N/A		
Project Number	11-008	Plat Date	January 7, 2019		

Prepared By :
Joel Johnson Land Surveying, Inc.
Corporate License C - 2436
701 Old Settlement Road
Sylva, North Carolina 28779
Tel. 828-586-6488
E-mail:rjjohnson31@hotmail.com
joeljohnsonlandsurveying.com

Location :
East Main Street
Sylva N.C. 28779
Sylva City Township
Jackson County, North Carolina

Showing :
A 0.001 Acres
Area between
Jackson County and
John Edwards

Plat of Survey for :
John Edwards

THE ELECTRONIC FILES PROVIDED BY Johnson Land Surveying TO THE CLIENT ARE FOR COORDINATION PURPOSES ONLY. THE CLIENT AGREES NOT TO USE THESE DRAWINGS AND DATA, IN WHOLE OR IN PART, FOR ANY PURPOSE OTHER THAN THE REFERENCED PROJECT. THE SURVEYOR'S ELECTRONIC MEDIA ARE FURNISHED WITHOUT GUARANTEE OR COMPATIBILITY WITH THE CLIENT'S SOFTWARE OR HARDWARE, AND THE SURVEYOR'S SOLE RESPONSIBILITY FOR THE ELECTRONIC MEDIA IS TO FURNISH A REPLACEMENT FOR DEFECTIVE DISKS WITHIN THIRTY (30) DAYS AFTER DELIVERY TO THE CLIENT.

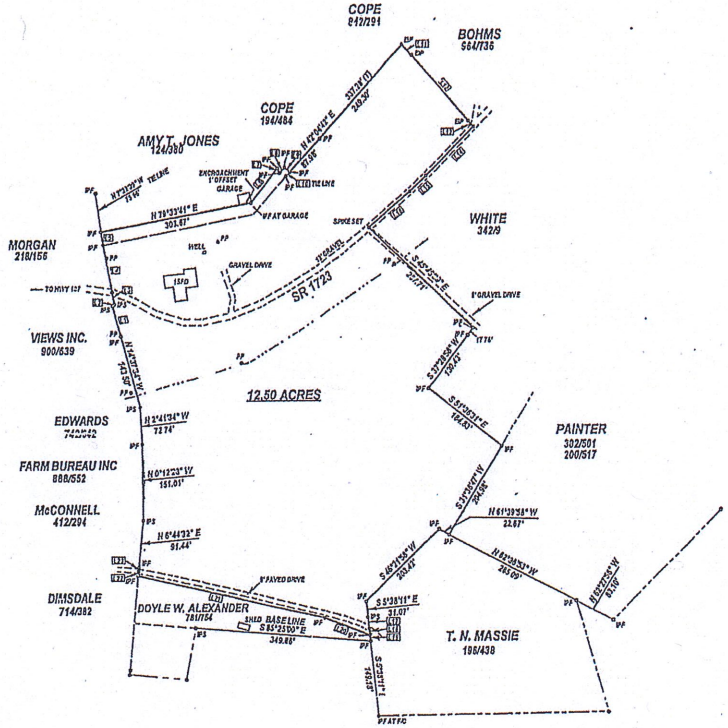
USE OF THESE MATERIALS FOR MODIFICATION, EXTENSION OR EXPANSION OF THIS PROJECT OR ANY OTHER PROJECT, UNLESS UNDER THE DIRECTION OF THE SURVEYOR SHALL BE WITHOUT LIABILITY TO THE SURVEYOR AND THE SURVEYOR'S CONSULTANTS.

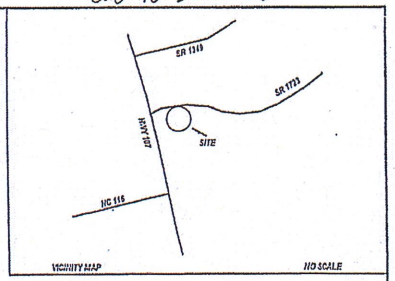
BECAUSE DATA STORED IN ELECTRONIC MEDIA FORM CAN BE ALTERED, EITHER INTERNATIONALLY, BY TRANSCRIPTION, MACHINE ERROR, ENVIRONMENTAL FACTORS, OR BY OPERATORS, IT IS AGREED THAT THE CLIENT SHALL INDEMNIFY, DEFEND, SAVE HARMLESS THE SURVEYOR, THE SURVEYOR'S CONSULTANTS, AND THE OFFICERS AND EMPLOYEES OF ANY OF THEM FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITIES, DAMAGES, LOSSES AND COSTS, INCLUDING, BUT NOT LIMITED TO COSTS OF DEFENSE, ARISING OUT OF CHANGE OR MODIFICATIONS TO THE DATA IN ELECTRONIC MEDIA FORM IN THE CLIENT'S POSSESSION OR RELEASED TO OTHERS BY THE CLIENT AND FOR ANY USE OF THE ELECTRONIC MEDIA AND PRINTED HARD COPY DRAWINGS AND SPECIFICATIONS OUTSIDE THE LICENSE GRANTED BY THE PROVISION.

SHOULD THE CLIENT DISAGREE WITH STATEMENTS CONTAINED HEREIN, PLEASE ADVISE US IN WRITING WITHIN TEN DAYS AFTER RECEIPT OF THE DATA OR THIS DISCLAIMER STANDS AS WRITTEN.

cab 10 slide 115

DEED NORTH





Id	Bearing	Distance
L1	N 14°20'26" W	62.37'
L2	N 48°34'34" E	4.19'
L3	N 9°55'26" W	24.37'
L4	N 9°55'26" W	95.32'
L5	N 7°53'07" W	27.03'
L6	N 38°48'08" E	16.49'
L7	S 23°34'47" E	9.97'
L8	N 42°16'11" E	14.05'
L9	S 62°31'04" E	14.01'
L10	N 42°34'10" E	11.70'
L11	S 40°43'16" E	28.52'
L12	S 40°43'15" E	171.53'
L13	S 40°43'16" E	15.44'
L14	S 44°54'15" W	135.49'
L15	S 46°38'50" W	45.02'
L16	S 49°55'36" W	103.52'
L17	S 5°38'11" E	22.40'
L18	S 5°38'11" E	13.11'
L19	S 5°38'11" E	12.72'
L20	N 68°50'07" W	96.44'
L21	N 77°12'13" W	381.11'
L22	N 5°31'06" E	9.00'
L23	N 6°44'32" E	9.00'

LEGEND

IPS IRON PIN SET
IPF IRON PIN FOUND
NIP NEW IRON PIPE
EIP EXISTING IRON PIPE
PP POWER POLE
FS FENCE STAKE
SMALL STREAM
FENCE LINE
POWER LINE

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

I, Suzie Nicholson, REVIEW OFFICER OF JACKSON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

Suzie Nicholson 2-3-00
REVIEW OFFICER DATE

STATE OF NORTH CAROLINA COUNTY OF Jackson
THE FOREGOING CERTIFICATE OF BOBBY H. BURNS, PROFESSIONAL LAND SURVEYOR IS CERTIFIED TO BE CORRECT THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDED IN THIS OFFICE IN PLAT CAB 10 SL 115, THIS 3rd DAY OF Feb., AT 3:45 O'CLOCK P.M., 16 2000 A.D.

Joe Hamilton
REGISTER OF DEEDS

I, BOBBY H. BURNS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 566, PAGE PLAT) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK ____, PAGE ____, THAT THE RATIO OF PRECISION AS CALCULATED IS 1 10,000+, THAT THE PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 25th DAY OF Jan, A.D., 10 2000.

OFFICE OF REGISTER OF DEEDS
JOE HAMILTON
JACKSON COUNTY, N.C.

2-3-00 Suzie Nicholson

NOTES
1) ACREAGE CALCULATED BY COORDINATE COMPUTATION
2) THIS PLAT IS SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHT-OF-WAY OF RECORD
3) NO NCGS BOUNDARY FOUND WITHIN 2000 FEET
4) THIS PLAT IS NOT AN EXISTING PARCEL OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET

PROPOSED ACQUISITION SURVEY FOR

THE COUNTY OF JACKSON

FROM

EDWARD C. JONES

SYLVA TOWNSHIP

JACKSON COUNTY NORTH CAROLINA

DEED REFERENCE: BOOK 422 PAGE 228, BOOK 338 PAGE 686, BOOK 374 PAGE 194
BOOK 338 PAGE 681, BOOK 888 PAGE 107

DATE: JANUARY 25, 2000 SCALE: 1" = 150'

150 0 150 300 450 600
SCALE IN FEET

DRAWING NUMBER: J - 124

BURNS LAND SURVEYING
P.O. BOX 444 PILLSBORO N.C. 28725
(828) 586 - 6119

RESOLUTION BY THE
JACKSON COUNTY BOARD OF EDUCATION

NOW COMES the **JACKSON COUNTY BOARD OF EDUCATION** ("Board"), on this the 27th day of November 2018, and, in a duly called public meeting with a quorum present, hereby resolves the following:

WHEREAS, the Board has a current leasehold and reversionary interest in the real property described in Deed Book 1074 Page 554 in the Jackson County Registry ("Property");

WHEREAS, the Property is currently owned by the County of Jackson ("County") and is serving as a security interest for the financing agreement for the improvements made to Smoky Mountain High School ("SMHS");

WHEREAS, the Property shares a common property boundary line with the real property described in Deed Book 1904 Page 128 in the Jackson County Registry, the location of John V. Edwards, DDS PA, a dental practice located along 1609 East Main Street ("Dental Property");

WHEREAS, Mr. Edwards has expressed a desire to the County to make future improvements to the Dental Property. As a result thereof, Mr. Edwards commissioned a survey for the Dental Property ("Survey"). A copy of the Survey is attached hereto as Exhibit A;

WHEREAS, the Survey revealed two things: a) there is an apparent gap between what is believed to be the Property's western property boundary line and the Dental Property's eastern property boundary line ("Gap Area"); and 2) a portion of a small building owed by Mr. Edwards encroaches in the Gap Area;

WHEREAS, based on a review of other surveys, including the survey used by the County for the financing agreement for SMHS, the Board nor the County has ever acknowledged that it owned the property in the Gap Area and instead, has operated as if the Property's western boundary line is the more eastern, triangular shaped boundary line;

WHEREAS, the Board does not use currently use, nor has it ever used, the property in the Gap Area;

WHEREAS, Mr. Edwards has expressed a desire to have clear title to the Gap Area and establish an agreed upon property boarder for the Property and the Dental Property; and

WHEREAS, because the Board has a reversionary interest in the Property; the County cannot divest any part of the Property, included the disputed Gap Area, without the Board's permission.

NOW, THEREFORE, be it resolved that the Board hereby agrees that the boundary line for the Property and the Dental Property should be the triangular boundary line east of the Gap Area and the County is authorized to issue a quick claim deed to Mr. Edwards evidencing the same.

BE IT RESOLVED, this the 27th day of November 2018.

Alison Laird-Large
Chair