

NONWARRANTY DEED

Revenue: Exempt (G.S. §105-228.28)
Transylvania County REID#: 8574-29-5185-000

Prepared By:
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The preparer of this document has not performed any examination of title to the property described herein.

THIS DEED, made and entered into this the ____ day of _____, 2024 by the TRANSYLVANIA COUNTY BOARD OF EDUCATION, a local education agency and body corporate of the State of North Carolina, having its principal offices located at 225 Rosenwald Lane, Brevard, NC 28712, Grantor; and the CATHEY’S CREEK COMMUNITY CENTER, INC., the successor entity of Cathey’s Creek Community Club, a corporation formed under the laws of the State of North Carolina, having its principal offices located at 46 Bryson Road, Brevard, NC 28712, Grantee;

WHEREAS, the Grantor leased the property described herein to the predecessor of the Cathey’s Creek Community Club pursuant to the terms of that lease dated July 16, 1957 and recorded in Deed Book 119 pages 245-246 of the Transylvania County Registry (the “1957

Lease”) and leased the said property to the Cathey’s Creek Community Club pursuant to the terms of that lease dated May 1, 1972 and recorded in Deed Book 197, pages 508-509 of the Transylvania County Registry (the “1972 Lease”); and

WHEREAS, on or about June 22, 1983, the North Carolina General Assembly enacted Session Law 1983-579, “An Act to Allow the Transylvania County Board of Education to Transfer Certain Property to Non-Profit Civic Improvement Organizations,” providing that notwithstanding G.S. 115C-518, the Transylvania County Board is authorized to convey in fee simple, at private sale, with or without monetary consideration to the Cathey’s Creek Community Club, a nonprofit, unincorporated, organization for the civic improvement and development of the Cathey’s Creek Community, all of the Cathey’s Creek School Building and the grounds surrounding the same;

WITNESSETH:

Pursuant to the authority enacted in S.L. 1983-579, Sec. 3 and other good and valuable consideration, the receipt and sufficiency is acknowledged, believing that the transfer of the property described herein will be in the best interests of the County and particularly the CATHEY’S CREEK COMMUNITY CENTER, hereby grants, bargains, sells, transfers and conveys and by these presents does transfer and convey to the Grantee, its successors and assigns, in fee simple, all of those tracts or parcels of land in Transylvania County, North Carolina, being more particularly described as follows:

BEING all of that property previously leased to the Grantee by the Grantor via the 1972 Lease and the 1957 Lease referenced hereinabove, being more particularly described in the latter as “BEING all of the Selica Primary School Building and the grounds surrounding the same owned by the [Transylvania County Board of Education] in Selica, North Carolina.”

IT IS UNDERSTOOD AND AGREED by the parties hereto that the conveyance is made and shall remain in full force and effect for so long as the said property is used for community

projects by CATHEY'S CREEK COMMUNITY CENTER, INC., but when and if said property shall cease to be used for the purposes of CATHEY'S CREEK COMMUNITY CENTER, INC. for a period six (6) months, the Grantor, its successors or assigns, may by resolution declare that this conveyance shall be null and void and the said property shall revert to the party of the first part, its successors or assigns.

TO HAVE AND TO HOLD, all right, title and interest in and to the above released premises unto the CATHEY'S CREEK COMMUNITY CENTER, INC., its successors and assigns, to their only proper use and behoof forever.

IN WITNESS WHEREOF, the TRANSYLVANIA COUNTY BOARD OF PUBLIC EDUCATION has caused these presents to be signed in its name by its Board Chairperson, and attested to by its Superintendent and Ex Officio Secretary, on the date first written above.

[Signatures appear on the following page.]

TRANSYLVANIACOUNTY BOARD OF PUBLIC EDUCATION

By: _____(SEAL)
Kimsey Jackson, Chair

Attest:

Dr. Lisa Fletcher, Superintendent and Ex Officio Secretary (OFFICIAL SEAL)

STATE OF NORTH CAROLINA

COUNTY OF TRANSYLVANIA

I, _____, a Notary Public of the aforesaid County and State, hereby certify that Dr. Lisa Fletcher personally came before me this day and acknowledged that he is the duly appointed Superintendent and Ex Officio Secretary to the Transylvania County Board of Education, and that by authority duly given and as the act of the body politic and corporate the foregoing instrument was signed in its name by its said Board Chair, sealed with its corporate seal and attested by himself as Ex Officio Secretary.

Witness my hand and NOTARIAL SEAL, this the _____ day of _____, 2024.

Notary Public

My Commission Expires:

(NOTARIAL SEAL)