

BK: CRP D-43

PG: 643-648

RECORDED  
05-23-2024  
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BY: TODD RABY  
REGISTER

2024002964

MACON COUNTY, NC  
TODD RABY  
REGISTER OF DEEDSNC FEE \$26.00  
STATE OF NC  
REAL ESTATE  
EXTX \$194.00

Warranty Deed

Title File # 24-001

Deed Stamps: \$194.00

PIN 6594564934, 6594574379, 6594576411, 6594578494, 6594579580, and 6594671488

This instrument was prepared by W. Arthur Hays, Jr. of the law firm of Mitchell K. Brewer, PLLC. Title to the lands and/or interest in lands described herein is not certified by said law firm unless a separate, written title opinion has been given to, or title insurance obtained for, the Grantees herein by said law firm.

STATE OF NORTH CAROLINA

COUNTY OF MACON

**THIS DEED** made this 21st day of May, 2024, by and between:

W. ARTHUR HAYS, JR., a single person

P.O. Box 596, Murphy, NC 28906

CYNTHIA LYNN WRIGHT WIEDEL and husband, LAWRENCE WIEDEL

5208 Country Trail, Raleigh, NC 27613

JEFFREY TODD WRIGHT, a single person

620 South 2<sup>nd</sup> Street, Wilmington, NC 28401

DAVID LEE WRIGHT, a single person

206B Highland Avenue, Fayetteville, NC 28305

hereinafter termed Grantors;

and

STRICKLAND BROTHERS RENTALS, LLC

2983 Wide Horizon Drive, Franklin, NC 28734

hereinafter termed Grantees;

MAPPING  
MR

MACON COUNTY  
TAX COLLECTOR'S OFFICE  
05/23/24

The designation Grantors and Grantees 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 Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees, their heirs and/or successors and assigns (subject to

the terms, conditions, covenants, restrictions, exceptions and reservations hereinafter stated), the following particularly described real estate located in Macon County, North Carolina, Township of Franklin, in Fox Ridge Subdivision, to-wit:

Lot 22 containing 0.55 acres, more or less;

Lot 38 containing 1.17 acres, more or less;

Lot 39 containing 1.06 acres, more or less;

Lot 41 containing 0.61 acres, more or less;

Lot 42 containing 0.63 acres, more or less, and

Lot 43 containing 0.92 acres, more or less,

all part of Fox Ridge Subdivision as shown on a plat of said subdivision prepared by G.L. Sprinkle, Registered Land Surveyor, dated May 12, 1980, revised January 12, 1981, April 30, 1981, September 15, 1981, June 2, 1986, and September 14, 1988, entitled "A Map of Fox Ridge Sub-Division in Franklin Township, Macon County, NC", and recorded on Plat Card #464, Macon County Registry, reference to which is hereby made for a more complete description of the property herein conveyed.

BEING part of the lands conveyed by Paula D. Weaver to Patricia Hays Elliott, Audrey G. Hays, Ann Hays Wright and W. Arthur Hays, Jr. by deed dated December 27, 1990, and recorded in Book Z-18 at Pages 347-349, Macon County Registry.

BEING part of the lands in which an undivided one-fourth (1/4th) interest therein was devised by Audrey G. Hays to Frances Patricia Hays Elliott (the same person as Patricia Hays Elliott), Elinor Ann Hays Wright (the same person as Ann Hays Wright) and W. Arthur Hays, Jr. by Article VIII of the Last Will and Testament of Audrey G. Hays duly admitted to probate in Wake County, North Carolina, a certified true copy of which is filed in File No. 01-E-12 in the Office of the Clerk of Superior Court of Macon County, North Carolina.

BEING part of the lands in which an undivided one-third (1/3rd) interest therein was devised by Frances Patricia Elliott (the same person as Patricia Hays Elliott and the same person as Frances Patricia Hays Elliott) to Edgar Newton Elliott by Item IV of the Last Will and Testament of Frances Patricia Elliott as admitted to probate in File No. 03-E-253 in the Office of the Clerk of Superior Court of Macon County, North Carolina, and also as shown by Real Property Abstract recorded in Book K-28 at Page 1783, Macon County Registry.

BEING part of the lands in which an undivided one-third (1/3<sup>rd</sup>) interest therein was devised by Elinor Ann Hays Wright (the same person as Ann Hays Wright) to Cynthia Lynn Wright Wiedel, Jeffrey Todd Wright and David Lee Wright by her Last Will and Testament as admitted to probate in File No. 06-E-313 in the Office of the Clerk of Superior Court of Macon County, North Carolina and also shown by Real Property Abstract recorded in Book G-34 at Page 2010, Macon County Registry.

BEING part of the lands in which an undivided one-third (1/3<sup>rd</sup>) interest therein was conveyed by Edgar N. Elliott, Jr. (the same person as Edgar Newton Elliott) and wife, Winnie Sue Elliott to W. Arthur Hays, Jr. by deed dated February 14, 2011, and recorded in Book J-34 at Page 647. Macon County Registry.

ALSO CONVEYED is a sixteen (16) foot wide easement and right of way for a driveway, the center of which is the boundary line between Lot 23 and Lot 24, said easement and right of way being for ingress, egress and regress for Lot 21, Lot 22, Lot 23 and Lot 24, said non-exclusive easement being appurtenant to Lot 21, Lot 22, Lot 23 and Lot 24 as shown on the above-referenced plat.

SUBJECT to the following:

- (1) All easements for existing roads, utility lines and water lines;
- (2) All federal, state, and local environmental, land use and zoning laws, rules and regulations.

SUBJECT also to the following restrictions which shall be enforceable by the Grantors, their heirs, successors and assigns, or by any owner of a lot in Fox Ridge Subdivision, namely:

- (1) The aforesaid lots shall be used for residential purposes. No commercial sign except real estate brokers signs or "For Sale" or "For Rent" signs or such signs as may be required by legal proceedings, shall be erected or maintained on the aforesaid lots. No business or commercial activity shall be conducted on or from the aforesaid lots which creates noises, odors, or vibrations that would in any way be obnoxious or offensive to adjoining lot owners.
- (2) No building shall be placed upon the aforesaid lots other than one detached single-family dwelling and one accessory building which may include a garage, servant's quarters, guest suite or like facility or a combination thereof.
- (3) The aforesaid lots shall not be subdivided or boundary lines altered if the effect is to increase the number of lots in Fox Ridge Subdivision.
- (4) No residence or other building shall be constructed or placed on the aforesaid lots closer than thirty (30) feet from the centerline of a subdivision road or street or closer than ten (10) feet from an interior lot boundary line.
- (5) No main dwelling shall be erected or placed on the aforesaid lots with an enclosed, heated floor area of less than 1,200 square feet on the main floor, exclusive of cellars, basements, second or higher floors, attics, garages, carports, screened areas, porches, patios, terraces and decks.
- (6) Prior to occupancy of the aforesaid lots, space for parking at least two automobiles off the subdivision roads shall be provided for each such lot.
- (7) After occupancy of the aforesaid lot, no unclean, unsightly or unkept condition of buildings or grounds which substantially decreases the beauty of the neighborhood shall be permitted.
- (8) No mobile home, double-wide home, manufactured home, trailer, motor home, recreational vehicle or tent shall be used as a permanent residence on the aforesaid lots; provided, however, that the aforesaid restriction shall not apply to a modular home meeting the requirements for modular units imposed by the laws and building codes of the State of North Carolina.
- (9) The keeping or the raising of the following animals and classes of animals on the aforesaid lots shall not be permitted, namely: swine, horses, ponies, mules, donkeys, burros, cattle, goats, sheep or other livestock or chickens or other poultry.

SUBJECT also to the easement deed between Patricia Hays Elliott, et al and the Town of Franklin, dated April 1, 1998, and recorded in Book N-22 at Page 1666, Macon County Registry, establishing an easement for a storm water drainage line as to Lot 38 and Lot 39.

SUBJECT also to an easement across Lot 43 for an electric transmission line as described in Book P-8 at Page 70 and in Book C-11 at Page 33, Macon County Registry.

This conveyance is subject to all easements for existing roadways and utility lines and facilities, to restrictions of record and to applicable land use laws and ordinances.

**TO HAVE AND TO HOLD** the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantees, their heirs and/or successors and assigns forever (subject to the terms, conditions, covenants, restrictions, exceptions and reservations hereinabove stated).

And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any and all encumbrances (with the exceptions above stated), and that they will and their heirs, executors, administrators and/or successors shall forever warrant and defend the title to the said land

and premise:" with the appurtenances, unto the Grantees, their heirs and/or successors and assigns, against the lawful claims of all persons whomsoever, except for the exceptions hereinabove stated.

**IN WITNESS WHEREOF**, each Grantor (acting individually or by and through his or her duly authorized Attorney-in-Fact) has hereunto set his or her hand and seal the day and year first above written.

W. Arthur Hays, Jr. (SEAL)

W. ARTHUR HAYS, JR.

Cynthia Lynn Wright Wiedel  
by W. Arthur Hays, Jr., A/F (SEAL)  
CYNTHIA LYNN WRIGHT WIEDEL, by  
W. Arthur Hays, Jr., her  
Attorney in Fact

Jeffrey Todd Wright  
by W. Arthur Hays, Jr., A/F (SEAL)  
JEFFREY TODD WRIGHT, by  
W. Arthur Hays, Jr., his  
Attorney-in-Fact

Lawrence Wiedel  
by W. Arthur Hays, Jr., A/F (SEAL)  
LAWRENCE WIEDEL, by  
W. Arthur Hays, Jr., his  
Attorney in Fact

David Lee Wright  
by W. Arthur Hays, Jr., A/F (SEAL)  
DAVID LEE WRIGHT, by  
W. Arthur Hays, Jr., his  
Attorney in Fact

**STATE OF NORTH CAROLINA**

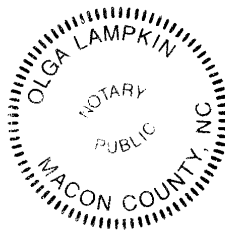
**COUNTY OF MACON**

I Olga Lampkin, a Notary Public of said State and County, do hereby certify that W. ARTHUR HAYS, JR., personally appeared before me and acknowledged the due execution of the foregoing instrument

**WITNESS** my hand and notarial seal this 22nd day of May, 2024.

My Commission expires:

NOV 9, 2025



Olga Lampkin

Notary Public Signature

Olga Lampkin

Notary Public Printed Name

**STATE OF NORTH CAROLINA**

**COUNTY OF MACON**

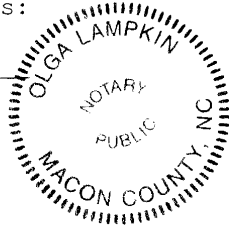
I, Olga Lampkin, a Notary Public of said State and County, do hereby certify that W. ARTHUR HAYS, JR., Attorney-in-Fact for Cynthia Lynn Wright Wiedel and husband, Lawrence Wiedel, Jeffrey Todd Wright, single, and David Lee Wright, single, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing and annexed instrument for and in behalf of Cynthia Lynn Wright Wiedel and husband, Lawrence Wiedel, Jeffrey Todd Wright, single, and David Lee Wright, single, and that his authority to execute and acknowledge said instrument is contained in an instrument dated April 14, 2009, duly executed, acknowledged, and recorded in the Office of the Register of Deeds for Macon County, North Carolina, on the 14<sup>th</sup> day of June, 2011, in Deed Book J-34 at Pages 650-659, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney; that the said W. Arthur Hays, Jr. acknowledged the due execution of the foregoing and annexed instrument for the purposes

therein expressed for and in behalf of the said Cynthia Lynn Wright Wiedel and husband, Lawrence Wiedel, Jeffrey Todd Wright and David Lee Wright.

**WITNESS** my hand and notarial seal this 22nd day of May, 2024.

My Commission expires:

NOV. 9, 2025



Olga Lampkin  
Notary Public Signature

Olga Lampkin  
Notary Public Printed Name

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**AGENT'S CERTIFICATION AS TO THE VALIDITY OF POWER OF ATTORNEY  
AND AGENT'S AUTHORITY  
(G.S. 32C-3-302)**

I, **W. ARTHUR HAYS, JR.**, does hereby state and affirm the following under penalty of perjury:

- (1) **CYNTHIA LYNN WRIGHT WIEDEL, LAWRENCE WIEDEL, JEFFREY TODD WRIGHT and DAVID LEE WRIGHT** granted me authority as an agent or successor agent in a Power of Attorney dated April 14, 2009, recorded in the Office of the Register of Deeds for Macon County, North Carolina, in Book J-34, Pages 650-659.
- (2) The powers and authority granted to me in the power of attorney are currently exercisable by me.
- (3) I have no actual knowledge of any of the following:
  - (a) The principal is deceased.
  - (b) The power of attorney or my authority as agent under the power of attorney has been revoked or terminated, partially or otherwise.
  - (c) The principal lacked the understanding and capacity to make and communicate decisions regarding his estate and person at the time the power of attorney was executed.
  - (d) The power of attorney was not properly executed and is not a legal, valid power of attorney.
- (4) I agree not to exercise any powers granted under the power of attorney if I become aware that the principal is deceased, that the power of attorney has been revoked or terminated, or that my authority as agent under the power of attorney has been revoked or terminated.

**SIGNATURE AND ACKNOWLEDGMENT**

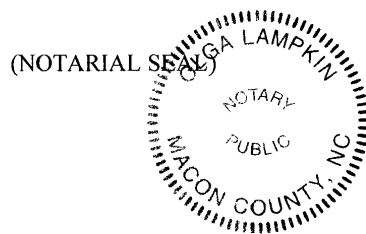
W. Arthur Hays, Jr.  
W. Arthur Hays, Jr  
P.O. Box 596, Murphy, NC 28906  
(828) 837-2178

May 22, 2024  
Date

**STATE OF NORTH CAROLINA  
COUNTY OF MACON**

I, Olga Lampkin, a Notary Public of the aforesaid County and State, hereby certify that **W. ARTHUR HAYS, JR.** personally appeared before me this day, and acknowledged the due execution of the foregoing instrument.

WITNESS, my hand and Notarial Seal or stamp this 22nd day of May, 2024.



Olga Lampkin  
Notary Public  
My Commission Expires: Nov. 9, 2025