



Development & Facilities Services

298 E. Depot Street, Ste 100 | Mocksville, NC 27028 | 336.753.6050 | f 336.751.7689

DavieCountyNC.gov



Board of Adjustment Davie County

Agenda: Regular Meeting

March 15, 2022

**Location: 123 S. Main Street Mocksville, NC
27028**

3:00 p.m.

- A) Call to Order
- B) Adopt Agenda
- C) Approval of Minutes from October 19, 2021
- D) Public Comment
- E) **Teresa Heath** has applied for a **Special Use Permit for a private recreation facility** in the Residential Agricultural (R-A) zoning district pursuant to §155.125 of the Davie County Zoning Ordinance. The subject properties are located at the 710 & 670 Wyo Road Mocksville NC 27028 and are further described as 0.8 and 25 acre parcels of the Davie County Tax Map B50000000901 and B500000116.
- F) Old or New Business
- G) Adjourn

**Minutes of the
Davie County Board of Adjustment
October 19, 2021
Regular Meeting**

I. CALL TO ORDER

Attendee Name	Title	Status
Barbara Owens	Alternate Member	Absent
Wayne Webb	Chairman	Present
Eddie Leagans	Board Member	Present
Diane Foster	Board Member	Absent
Marty Carter	Board Member	Present
Tim Hendrix	Board Member	Present
Robert Crews	Alternate Member	Absent

Others present: Amy Flyte, Andrew Meadwell, Dan Womble—Board attorney

II. ADOPT AGENDA

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Eddie Leagans
SECONDER: Tim Hendrix
AYES: Webb, Leagans, Carter, Hendrix
ABSENT: Owens, Foster, Crews

III. APPROVAL OF MINUTES—SEPTEMBER 21, 2021

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Tim Hendrix
SECONDER: Marty Carter
AYES: Webb, Leagans, Carter, Hendrix
ABSENT: Owens, Foster, Crews

IV. DECLARATIONS FROM THE BOARD

There were none.

V. SPECIAL USE PERMIT REQUEST

Jarvis Kennedy Custom Homes c/o Mark Jarvis has applied for a **Special Use Permit for two Duplexes** in the Residential 20 (R-20) zoning districts pursuant to §155.125 of the Davie County Zoning Ordinance. The subject properties are located at the intersection of Will Boone Road and NC HWY 801 S Mocksville NC 27028 and are further described as a 1.3 and 1.6 acre parcels of the Davie County Tax Map L60000000504 and L60000000503.

Minutes Acceptance: Minutes of Oct 19, 2021 3:00 PM (Approval of Minutes)

Andrew Meadwell was sworn in and introduced the request.

Chairman Webb opened the public hearing and invited anyone in favor to speak on the matter

1. Mark Jarvis, applicant was sworn in and outlined the request and answered board questions about the lots, driveways, utilities.

Chairman Webb invited anyone in opposition to speak on the matter and seeing none he closed the public hearing.

The board held discussion on the request and required findings for a special use permit.

Tim Hendrix made a motion to approve

RESULT:	APPROVED [3-1]
MOVER:	Tim Hendrix
SECONDER:	Eddie Leagans
AYES:	Webb, Leagans, Hendrix
NAYS:	Carter
ABSENT:	Owens, Foster, Crews

VI. OLD OR NEW BUSINESS

The Board was updated on the request that was deferred in September and when they can expect that applicant to return for consideration.

VII. ADJOURN

RESULT:	ADJOURNED [UNANIMOUS]
MOVER:	Marty Carter
SECONDER:	Tim Hendrix
AYES:	Webb, Leagans, Carter, Hendrix
ABSENT:	Owens, Foster, Crews

Minutes Acceptance: Minutes of Oct 19, 2021 3:00 PM (Approval of Minutes)



Development & Facilities Services

298 E. Depot Street, Ste 100 | Mocksville, NC 27028 | 336.753.6050 | f 336.751.7689

DavieCountyNC.gov



NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT

NOTICE IS HEREBY GIVEN, pursuant to the requirements of Article 20-B of Chapter 153-A of the General Statutes of North Carolina and Section 155.235 of the Davie County Code of Ordinances, that the Davie County Board of Adjustment will hold a **Public Hearing** in the **Commissioners Room** of the Davie County Administration Building, 123 South Main Street Mocksville, NC on **Tuesday March 15, 2022 at 3:00 p.m.** to hear the following request:

Teresa Heath has applied for a **Special Use Permit for a private recreation facility** in the Residential Agricultural (R-A) zoning district pursuant to §155.125 of the Davie County Zoning Ordinance. The subject properties are located at the 710 & 670 Wyo Road Mocksville NC 27028 and are further described as 0.8 and 25 acre parcels of the Davie County Tax Map B50000000901 and B500000116.

A sign will be placed on the above listed properties to advertise the Public Hearing.

All parties and interested citizens are invited to attend said hearing at which time they shall have an opportunity to present facts and testimony in support of, or in opposition to, the request. Prior to the hearing, additional information on a request may be obtained by visiting the Development Services Department weekdays between 8:30 a.m. and 5:00 p.m. Monday through Friday, or by telephone at (336) 753-6050.

As a result of the public hearing, substantial changes might be made in the advertised proposal, reflecting objections, debate and discussion at the hearing. Anyone who needs an accommodation to participate in the meeting should notify the Development Services Department at least 48 hours prior to the meeting or call North Carolina Relay at 1-800-735-8262.

Andrew Meadwell
Planning Department

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**Legal Notice
Affidavit Required
Publication Dates: March 3, 2022
 March 10, 2022**

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)



DAVIE COUNTY DEVELOPMENT SERVICES

298 E Depot Street Mocksville, NC 27028
PH:(336)753-6050 FAX:(336)751-7689

March 15, 2022

Special Use Permit Request

Applicants:	Teresa Heath		
Description and Location of Property:	A 0.8 and 25 acre parcel owned by Teresa Heath addressed as 710 and 670 Wyo Rd.		
Tax Map / Parcel	B50000000901 & B50000000116	Watershed District:	None
Public Water:	Yes	Public Sewer:	No
Current Zoning:	Residential-Agricultural (R-A)		
Current zoning in area:	Residential-Agricultural (R-A)		
Intended use of the property:	Private Recreation Facility		
Existing Land Uses in the area:	Surrounding properties consist of agricultural uses, open lands, residential homes.		
Environmental concerns:	N/A		

Summary:

Teresa Heath has filed an application requesting a Special Use Permit to construct a Private Recreation Facility to house a wedding venue on her 0.8 and 25 acre tracts of land. The Davie County Zoning Ordinance §155.125 allows such a use with the issuance of a Special Use Permit granted by the Board of Adjustment.

The applicant has stated her intent to utilize the existing building at 710 Wyo Rd and the surrounding grounds from the property of 670 Wyo Rd to host weddings and other special events.

The property was previously home to a vineyard and tasting room.

As a special use permit request, the Board of Adjustment may place reasonable conditions on the use related to expected impacts to adjacent or nearby properties.

The Board of Adjustment, in order to grant a permit, must find that:

1. The use as proposed **will not** adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
2. The use as proposed **will not** be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed use;
3. The use **will not** substantially injure the value of adjoining or abutting property; and,
4. The use meets all required conditions and specifications.

DRAFT FINDINGS OF FACT

1. The existing use is a 0.8 and 25 acre tract of land, located at 710 and 670 Wyo Road and is presently zoned Residential-Agricultural, located in northern Davie County in an area comprised generally of single-family housing and open/agricultural lands.
2. The property presently features a 2400 square foot Morton building.
3. A complete application for a Special Use Permit request was submitted by Teresa Heath on December 20, 2021. A duly noticed and advertised public hearing was conducted by the Board of Adjustment on March 15, 2022. All parties were given notice of the hearing and the opportunity to offer evidence and testimony related to the proposed Special Use Permit.
4. The property is presently owned by Teresa & James Heath.

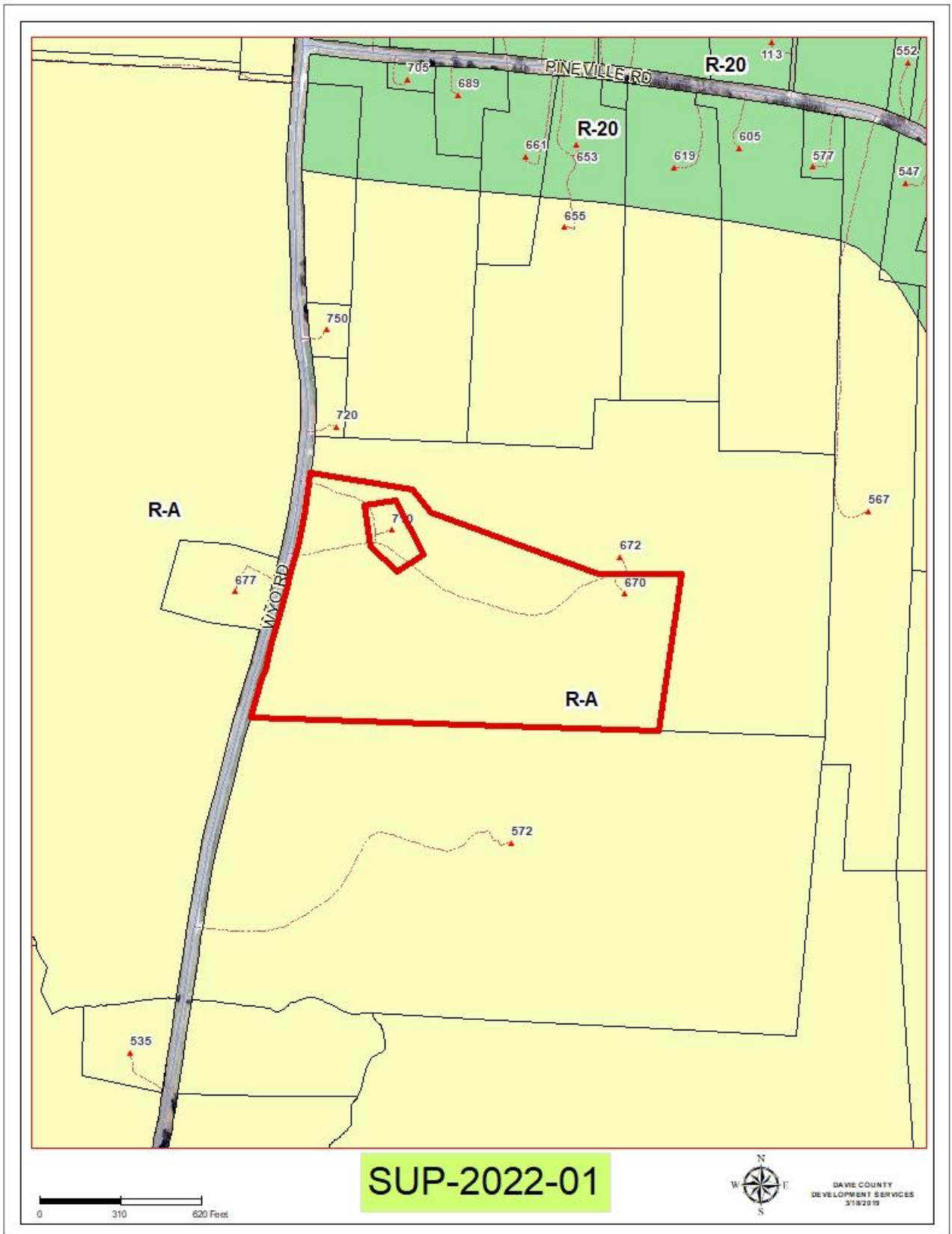
Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

5. The property is served by public water and a private septic system.
6. Private Recreation Facilities in the R-A zoning district are allowed with the approval of a Special Use Permit.
7. The property is classified as Rural Residential by the County's Comprehensive Land Use Plan. This classification is described in the County's Comprehensive Land Use Plan as "Rural activities including farming, rural commercial business, and limited residential development to preserve the rural character of the County. Not intended for intense urban or suburban development, including major residential subdivisions."
8. The property is classified as a Rural Growth Area on the Growth Strategy Map within the County's Comprehensive Land Use Plan. The Rural Growth Area is described as "by traditional agricultural operations, pasture land, forestry, and open space scattered non-farm residences on large tracts of land. Rural scenic vistas are a natural part of the landscape. There is normally an abundance of large, undeveloped tracts not experiencing significant residential development encroachment or pressure. There are natural, scenic, historic, or other heritage assets that contribute to the special characteristics of the area that might require special conservation and management. Land use changes in this area should be designated to protect the rural character and discourage premature public infrastructure demands by sustaining groundwater recharge capacity."
9. If the specified conditions addressed in the special use permit are violated, the permit shall be revoked and the use will no longer be allowed. Only by reapplying to the Board of Adjustment for another special use permit and receiving their approval can the use be again permitted
10. The development of the property shall proceed in conformity with all plans and design features submitted as part of the Special Use Permit application and kept on file by the Davie County Development Services Department.
11. That the Special Use **will/will not** materially endanger the public health or safety, if located where proposed and developed according to the plan as proposed;
12. The use **meets/does not meet** all required conditions and specifications.
13. That the Special Use **will/will not** substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
14. The Special Use **will be/will not be** in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the county.
15. The proposed use/project **will be/will not be** consistent with the Davie County Land Development Plan and/or other adopted plans and policies.

Staff Recommendation

If the Board of Adjustment finds that the private recreation facility as proposed meets the spirit, intent, and purposes of the Zoning Ordinance (which are "to promote the public health, safety, morals, and general welfare of the county; promote the orderly development of the area; lessen congestion on the roads and streets; secure safety from fire, panic, and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements"), Staff would recommend the following conditions(as well as any other conditions found necessary by the Board to meet the standards of the ordinance):

Zoning Map



Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

Aerial Map



Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

Davie County Special Use Permit Application

SUP No. # _____

Date: 12/30/21**A. Request Type**☒ Special Use Permit☐ Special Use Permit Amendment (SUP #)

Note: All applicants are strongly urged to have a Pre-Application Conference with the Davie County Development Services Department staff .

B. Applicant/Owner Representative Information**Applicant**

Name:	James + Teresa Heath
Address:	670 Wyo Rd
	Mocksville NC 27028
Phone (w):	(336) 469-3812
Fax:	()
Email:	teresaheath5@gmail.com

Property Owner (if different)

Name:	
Address:	
Phone (w):	()
Fax:	()
Email:	

Will an attorney, engineer, or represent the applicant and/or

Professional Affiliation:	property owner in this matter?
Name:	
Address:	
Phone (w)	()
Fax:	()
Email:	

realtor

C. Request Information

- 1. Present Zoning Classification(s):
670 RA 710 Commercial
- 2. Describe the existing use of this property: -
Vineyard wedding+events tasting room
- 3. Describe the requested Special Use Permit uses/activities:
wedding and events
Reception

Note: The applicant/owner must complete the attached Special Use Permit Checklist. The Davie County Development Services staff will prepare a formal permit with the concurrence of the applicant/owner.

D. Property Identification, Location and Site Information

- 1. Tax Map(s) Tax Block(s) Tax Lot(s) Tax Map(s) Tax Block(s) Tax Lot(s)
- 670 B5 - 00 - 116 - - -
- 710 B5 - 00 - 09.01 - - -

A copy of the most recent record deed(s) and tax map identifying the above noted tax lots must accompany this application, or the application will be considered incomplete and will be returned.

- 2. ☒ This Special Use Permit request includes entire parcel and/or recorded platted lots.
- 3. ☐ This Special Use Permit request includes a portion(s) of an existing parcel(s). A written legal description along with a map identifying that portion of the parcel(s) is attached.

- E. Geographic location & address of site :
710 Wyo Rd mocksville NC 27028
670 Wyo Rd mocksville

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

Fees required

Please refer to the **Zoning Fees Schedule** on the website for the current fee structure for Davie County. Fees for a Special Use Permit are under the subheading Zoning Reviews. All checks must be paid to the order of Davie County.

How will the public be notified of a Special Use Permit Application?

The public will be notified in three ways. First, a sign will be posted on the property requesting the Special Use Permit. Second, a notice being sent to all property owners located within 500 feet of the property lines of the property requesting the Special Use Permit. Thirdly, a notice being published in the *Davie County Enterprise* within one week of the hearing will notify the public.

When can I expect to have my Special Use Permit Application heard?

The Board of Adjustment meets the third Monday of each month. A completed application must be submitted 30 days prior to these scheduled meetings.

Project Overview Statement

On the following lines, please give a synopsis or overview of the project, including information relevant to use, density, lot, layout, housing type, planned amenities, and similar information. Please attach any supporting documentation to your application.

use the Mortan building at 710 Wyo Rd and surrounding grounds of 670 Wyo Rd to host weddings, receptions and other events

F. Total acreage (square footage if less than one acre) of the subject property:27 acres**G. Square footage of building an/or portion of a building of the Special Use Permit****request:** 2400 sq ft

(A site plan identifying the building(s) or portion of the building in which the uses will be located is required to be attached.)

H. Supplemental Information

1. The Special Use Permit must meet applicable requirements of the Davie County Development Ordinance and the Board of Adjustment must make findings in order for the request to be approved.
2. The County of Davie does not produce a verbatim transcript of the hearing proceedings. If a verbatim transcript is required, the applicant or party requesting said transcript shall be responsible for arranging, producing and payment of all expenses for the production of said transcript. The applicant shall in no manner be responsible for providing the County of Davie a verbatim transcript of public hearings. Signing this application indicates the applicant's understanding and acceptance of this policy.
3. Application Withdrawal:
 - a) This application may only be withdrawn by written request from the applicant or property owner. If such request is received prior to submission of the public hearing notice to the newspaper, filing fees may be refunded. Filing fees will not be refunded after submission of the public hearing notice to the hearing.
 - b) After submission of the public hearing notice to the newspaper, an application may only be withdrawn by action of the Board of Adjustment at the public hearing.
4. No more than one (1) proposal for a major amendment to a Special Use Permit shall be considered within one (1) year after the date of the original authorization of such a permit.
5. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid, such Special Use Permit shall be null and void and of no effect.
6. An approved Special Use Permit shall be void as authorized by the Board of Adjustment unless the use of the property has begun and/or a footing inspection has passed. Refer to the appropriate ordinance (Davie County - § 155.282 B).
7. If any Special Use is discontinued for a period or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and

the Special Use Permit shall be null and void and of no effect. Refer to the appropriate ordinance (Davie County - § 155.282 B).

All of the items required by this application must be turned in to the Davie County Development Services, FULLY COMPLETED, by 5:00 p.m. of the prescribed deadline. Incomplete applications will not be accepted. Applications submitted after the deadline will be held until the next deadline for processing.

I. Signatures

When the applicant is someone other than the current property owner, the signatures of both the current property owner and the applicant shall be provided unless a power of attorney authorization is in effect. If power of attorney is in effect, a properly executed copy is required to be submitted with this application.

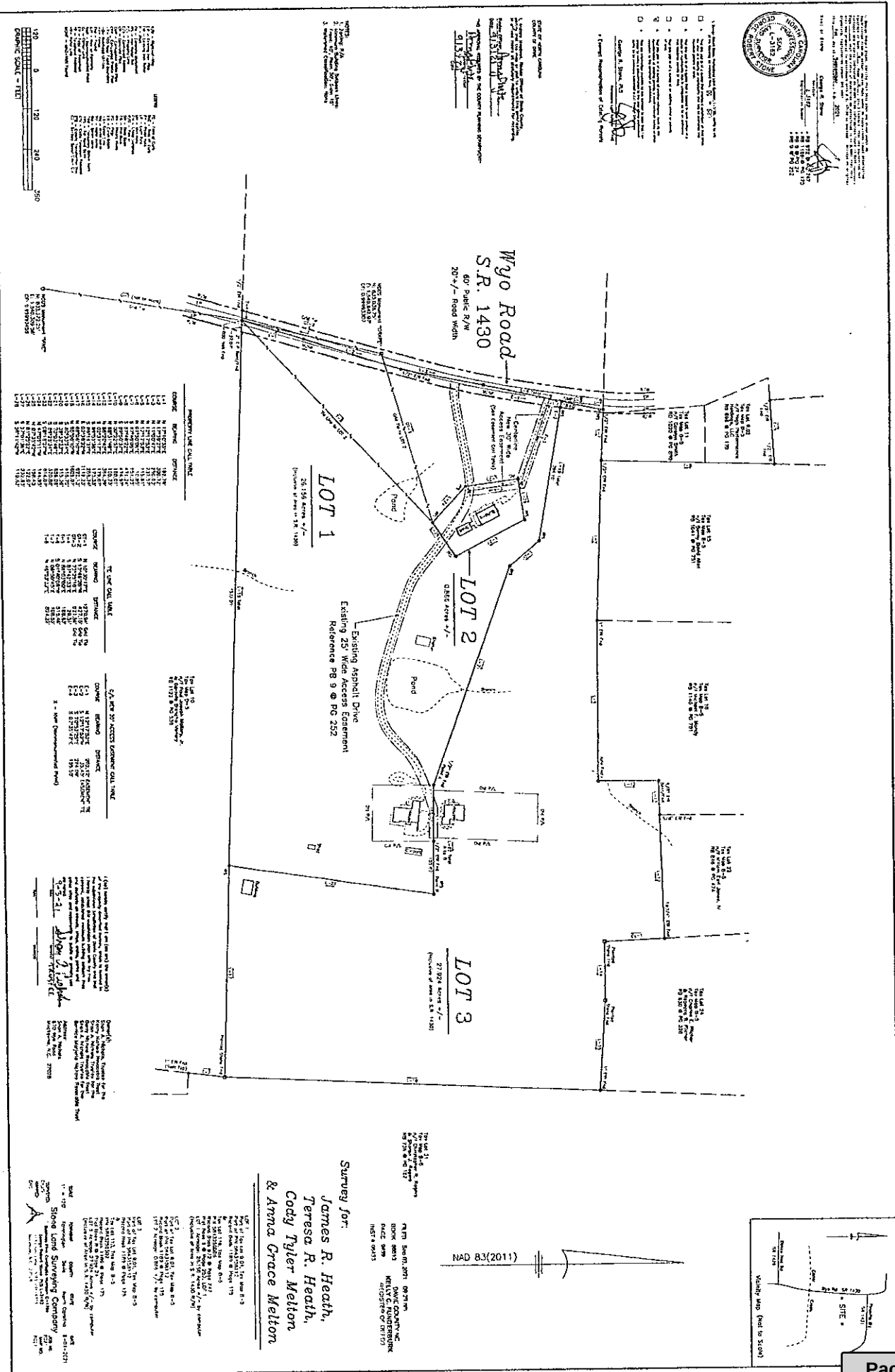
Signature of Property Owner(s)

I/We the undersigned, do hereby certify that all information given above is true, complete and accurate to the best of my/our knowledge, and do hereby request the County of Davie Board of Adjustment to take action as sought by this application.

<u>James Heath</u> (Owner Print Name)	<u>[Signature]</u> (Owner Signature)	<u>12/20/21</u> (Date)
<u>Teresa Heath</u> (Owner Print Name)	<u>Teresa Heath</u> (Owner Signature)	<u>12/20/21</u> (Date)
_____ (Owner Print Name)	_____ (Owner Signature)	_____ (Date)
<u>/ /</u> (Applicant Print Name)	_____ (Applicant Signature)	_____ (Date)
_____ (Representative Print Name)	_____ (Representative Signature)	<u>/ /</u> (Date)

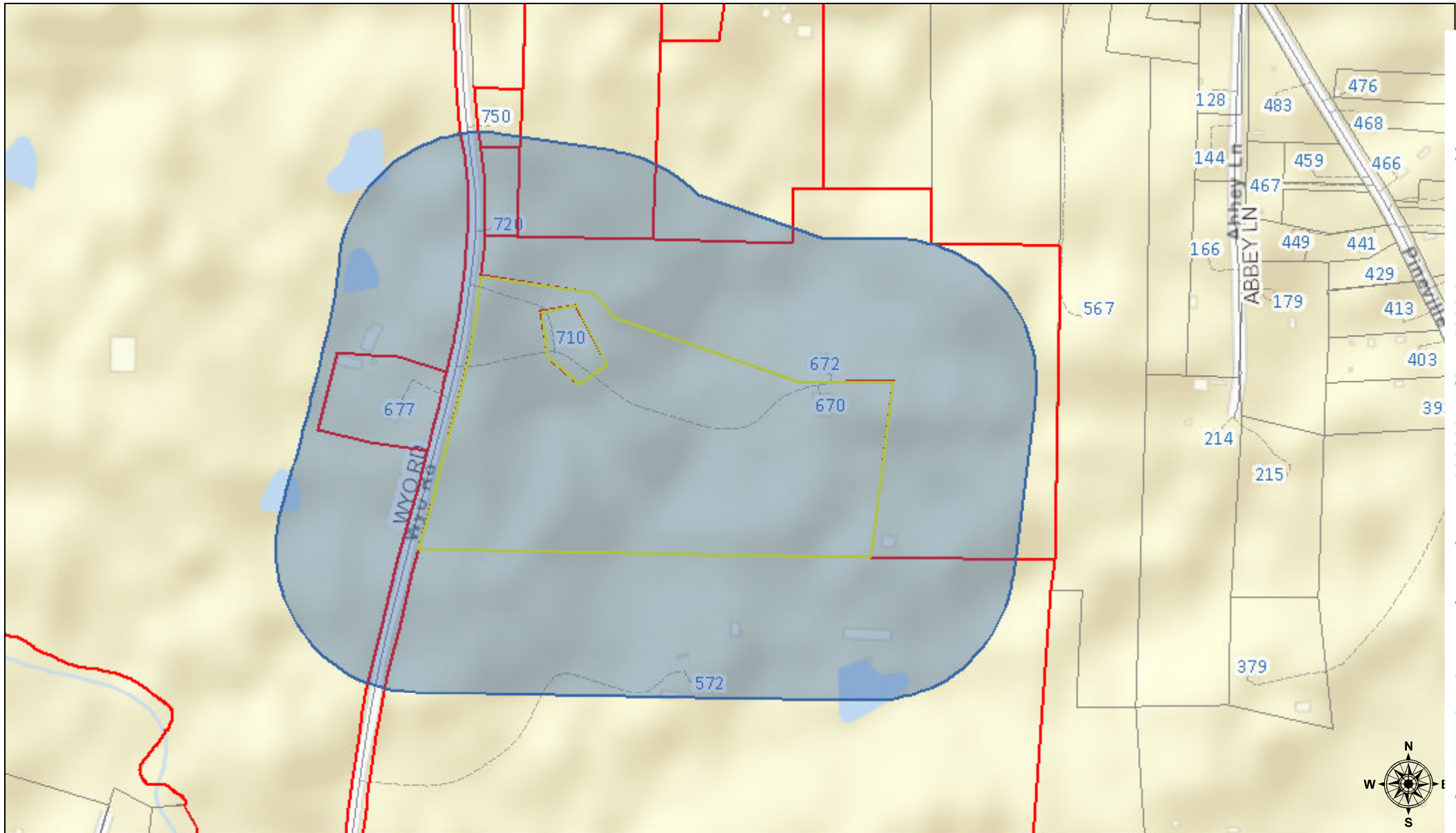
Note: If there are additional property owners, applicants or representatives, please attach an additional signature sheet with their names and signatures.

Corporations, Partnerships or other similar entities please include notarized Official Corporate Certification authorizing representative to sign on behalf of the corporation.



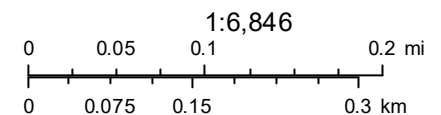
parcels labels mailed

E.1.a



February 25, 2022

- ▲ Address
- Driveways
- Parcels
- ▨ Watershed Structure
- City Limit
- MOCKSVILLE
- COOLEEMEE
- BERMUDA RUN
- County Line



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Packet Pg. 15

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

2022

Teresa Heath
670 Wyo Road
Mocksville, NC 27028

SMITH CAROLYN
720 WYO ROAD

MOCKSVILLE, NC 27028

ALLEN BENNY DAVID
2315 KAYWOOD LANE

WINSTON SALEM, NC 27103-0000

SPACH ALVIN E
677 WYO ROAD

MOCKSVILLE, NC 27028

DEMAREST WILLIAM
777 COUNTRY CLUB RD

MOREHEAD CITY, NC 28557

COLLINS SANDRA DIANE
PO BOX 453

CLEMMONS, NC 27012

MALLORY PAUL JOSEPH JR
572 WYO RD

MOCKSVILLE, NC 27028-6304

MONDY MICHAEL E
655 PINEVILLE RD

MOCKSVILLE, NC 27028-6244

1194
0526

FILED ELECTRONICALLY
DAVIE COUNTY NC
KELLY C. FUNDERBURK
REGISTER OF DEEDS

E.1.a

FILED Sep 14, 2021
AT 03:18:00 PM
BOOK 01194
START PAGE 0526
END PAGE 0528
INSTRUMENT # 06733
EXCISE TAX \$80.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$ 80.00
Parcel ID:	B5 000 00 00901
Mail/Box to:	Grantee
Property Address:	710 Wyo Road, Advance, NC 27006
Prepared by:	This instrument prepared by Darren S. Cranfill, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.
Brief description for the Index:	

THIS GENERAL WARRANTY DEED ("Deed") is made on the 10 day of SEPTEMBER 2021, by and between:

GRANTOR	GRANTEE
Bernice Marjorie Nichols Revocable Trust Agreement dtd 08/11/2020 <u>1983 RIDGESTONE RUN SW</u> <u>MARIETTA, GA 30008</u>	JAMES R HEATH AND TERESA R HEATH, MARRIED

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in Davie County, North Carolina and more particularly described as follows (the "Property"):

SEE ATTACHED EXHIBIT "A" WHICH IS INCORPORATED
BY REFERENCE AS IF SET FORTH FULLY HEREIN.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 1189, page 175.

Page 1 of 3

NC Bar Association Form No. 3 © Revised 11/2020
Printed by Agreement with the NC Bar Association

North Carolina Bar Association -- NC Bar Form No. 3
North Carolina Association of Realtors, Inc. -- Standard Form 3

submitted electronically by "Kasper & Payne, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Davie County Register of Deeds.

Packet Pg. 17

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Plat Book 8, page 24.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

All easements and restrictions of record and 2021 property taxes pro-rated to date of closing.

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Name: _____

Bernice Marjorie Nichols Revocable Trust

Agreement dtd 08/11/2020

Entity Name

Name: _____

By: Shan Nichols

Name: Shan A. Nichols

Title: Trustee

Name: _____

Name: _____

By: _____

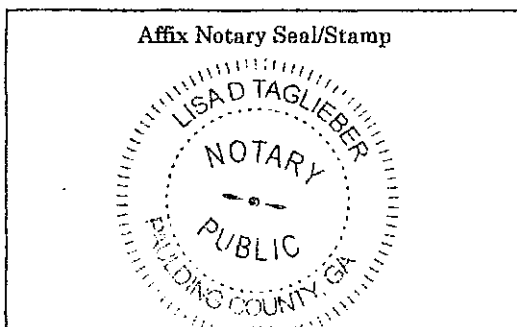
Name: _____

Title: _____

STATE OF GEORGIA, COUNTY OF COBB

I Lisa Taglieber, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 10 day of September 2021 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Shan A. Nichols, Trustee of the Bernice Marjorie Nichols Revocable Trust Agreement dtd 08/11/2020.

Affix Notary Seal/Stamp



Lisa Taglieber
Notary Public (Official Signature)

My commission expires: 04-03-2023

Exhibit "A"

**Being Lot 2 as shown on survey for James R. Heath, Teresa R. Heath,
Cody Tyler Melton and Anna Grace Melton as recorded in
Plat Book 13, Page 459, Davie County Registry.**

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

1194
0502

FILED ELECTRONICALLY
DAVIE COUNTY NC
KELLY C. FUNDERBURK
REGISTER OF DEEDS

E.1.a

FILED Sep 14, 2021
AT 03:01:00 PM
BOOK 01194
START PAGE 0502
END PAGE 0505
INSTRUMENT # 06728
EXCISE TAX \$1,370.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$ 1,370.00
Parcel ID:	B5 000 00116
Mail/Box to:	Grantee
Property Address:	670 Wyo Road, Advance, NC 27006
Prepared by:	This instrument prepared by Darren S. Cranfill, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.
Brief description for the Index:	

THIS GENERAL WARRANTY DEED ("Deed") is made on the 10 day of SEPTEMBER 2021, by and between:

GRANTOR	GRANTEE
Barry Nichols Revocable Trust Agreement dtd 02/02/2015 and Kathy Nichols Revocable Trust Agreement dtd 02/02/2015 <u>1983 RIDGESTONE RUN SW</u> <u>MARIETTA, GA 30006</u>	JAMES R HEATH and TERESA R HEATH, MARRIED

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in Davie County, North Carolina and more particularly described as follows (the "Property"):

SEE ATTACHED EXHIBIT "A" WHICH IS INCORPORATED
BY REFERENCE AS IF SET FORTH FULLY HEREIN.

Page 1 of 4

NC Bar Association Form No. 3 © Revised 11/2020
Printed by Agreement with the NC Bar Association

North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

Submitted electronically by "Kasper & Payne, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Davie County Register of Deeds.

Packet Pg. 20

Attachment: DC_BOA_Heath attachment_20220315 (SUP 2022-01 Teresa Heath)

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 972, page 747.

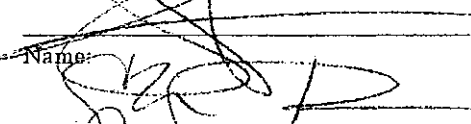
All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Plat Book 9, page 370 and Book 9, Page 252.

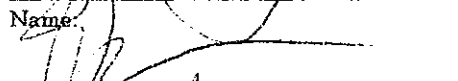
TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

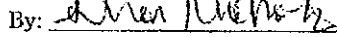
All easements and restrictions of record and 2021 property taxes pro-rated to date of closing.

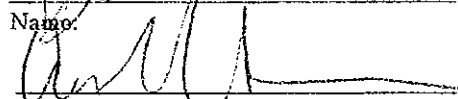
IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Name: 

Barry Nichols Revocable Trust
Agreement dtd 02/02/2015

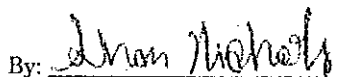
Name: 

By: 
Name: Shan A. Nichols
Title: Successor Trustee

Name: 

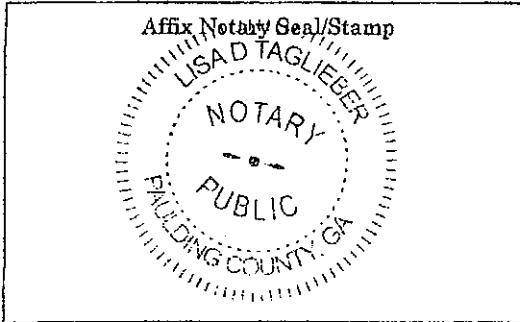
Kathy Nichols Revocable Trust
Agreement dtd 02/02/2015

Name: 

By: 
Name: Shan A. Nichols
Title: Successor Trustee

STATE OF Georgia, COUNTY OF Cobb

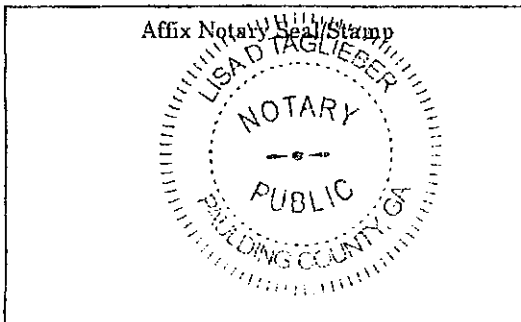
I Lisa Taglieber, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 10 day of September 2021 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Shan A. Nichols, Successor Trustee of the Barry Nichols Revocable Trust Agreement dtd 02/02/2015



Lisa D Taglieber
Notary Public (Official Signature)
My commission expires: 04-03-2023

STATE OF Georgia, COUNTY OF Cobb

I Lisa Taglieber, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 10 day of September 2021 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Shan A. Nichols, Successor Trustee of the Kathy Nichols Revocable Trust Agreement dtd 02/02/2015.



Lisa D Taglieber
Notary Public (Official Signature)
My commission expires: 04-03-2023

EXHIBIT A

Being Lot 1 as shown on survey for James R. Heath, Teresa R. Heath, Cody Tyler Melton and Anna Grace Melton as recorded in Plat Book 13, Page 459, Davie County Registry.