

STATE OF NORTH CAROLINA—Watauga County.

THIS DEED, Made this 4th day of December A. D. 19 29, by A. E. Hamby and wife, Mildred Hamby

of Watauga County and State of North Carolina, of the first part, to E. Tracy Council and wife, Grace Council

of Watauga County and State of North Carolina, of the second part, WITNESSETH:

That said A. E. Hamby and wife, Mildred Hamby, in consideration of Ten Dollars and other valuable considerations Dollars,

to them paid by E. Tracy Council and wife, Grace Council, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do bargain, sell and convey to said E. Tracy Council, and wife Grace Council and their heirs and assigns, a certain tract or parcel of land in Township, Watauga County, and State of North Carolina, adjoining the lands of Lot # 131

and others, bounded as follows, viz: BEING Lots Nos. 132, 133 and 134 as shown on the map and plat of the Daniel Boone Park Subdivision of the town of Boone, North Carolina, which map is recorded in the office of the Register of Deeds of Watauga County in Book 1 at Page 7 to which reference is hereby made for fuller and more complete description of same.

It is understood and agreed by and between the parties hereto that this deed is made subject to the following conditions and restrictions, viz:

- 1. That the grantee nor his heirs or assigns shall ever convey the same to any person or persons of African descent.
2. That the grantee nor his heirs or assigns shall construct a dwelling on said lot that shall cost less than \$2000.00
3. That the grantee nor his heirs or assigns shall construct any building within less than 30 feet of the street.

BEGINNING on a stake corner of Bear Trail and Grand Boulevard and runs N. 20° E. 155' with Bear Trail to a stake a corner. Thence N. 73° E. 52' to a stake in Tracy Council's line. Thence with said line S. 24° E. 100' to a stake a corner. Thence S. 47° W. 87' to a stake in Grand Street. Thence with Grand Street 75' to the beginning.

The above represents Lots #132, 133 & 134 of the Daniel Boone Park addition to Boone, N. C. and is registered at the court house in Boone as such.

Signed: W. R. Johnson C. E. PERSONALLY appeared before me W. R. Johnson who swears the above statement is true to the best of his knowledge and belief. (NOTARIAL SEAL) A. Y. Howell N. P. My Commission Ex 4/10/27

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereto belonging, to the said E. Tracy Council and wife, Grace Council their heirs and assigns, to their only use and behoof forever.

And the said A. E. Hamby and wife Mildred Hamby, and administrators covenant with the said E. Tracy Council and wife, Grace Council their heirs and assigns, that they are seized of said premises in fee, and have a right to convey the same in fee simple; that the same are free from all encumbrances, and that they do hereby warrant and defend the said title to the same against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said A. E. Hamby and wife, Mildred Hamby have hereunto set their hands and seals, the day and year first above written.

A. E. HAMBY (Seal) MILDRED HAMBY (Seal)

NORTH CAROLINA, Watauga COUNTY. I, G. D. Brinkley a Notary Public, do hereby certify that A. E. Hamby and Mildred Hamby his wife, personally appeared before me this day and acknowledged the due execution of the annexed Deed of Conveyance; and the said Mildred Hamby being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she doth still voluntarily assent thereto. Witness my hand and Notarial seal,

This 4th day of Dec, A. D. 19 29 G. D. Brinkley N. P. (SEAL) (NOTARIAL SEAL) My Commission Ex. May 8, 1931.

NORTH CAROLINA, COUNTY. The execution of the foregoing instrument was this day before me by, the, for the purposes therein expressed. Let the same, with this certificate, be registered. This day of, 19

NORTH CAROLINA—WATAUGA COUNTY. The foregoing certificate of G. D. Brinkley of Notary Public County, is adjudged to be correct and sufficient. Let the instrument, with the certificates, be registered. Witness my hand and official seal, this 4th day of December A. D. 19 29 A. E. South, Clerk Superior Court.

Filed for registration at 4:45 o'clock P. M., Dec 4, 19 29, and registered in the office of the Register of Deeds for Watauga County, Dec 5, 19 29 Helen Underdown, Register of Deeds.