

RECORDED  
BOOK 335 PAGE 1-2  
DATE 11-25-98  
W.E. "Bill" HOLLAND, III, CLERK

HART County, Georgia  
Real Estate Transfer Tax  
Paid \$ 0-  
Date 11-25-98  
CMB  
Clerk of Superior Court

FILED IN OFFICE  
HART SUPERIOR COURT  
98 NOV 24 PM 4 48  
Ann M. Brewer  
DEPUTY / CLERK

Prepared by Eugene W. Harper, Jr., P.C., Attorney at Law, P.O. Box 538, Hartwell, Georgia 30643-0538  
RETURN RECORDED DOCUMENT TO: Patricia Cantrell at above address

**STATE OF GEORGIA,  
COUNTY OF HART. JOINT TENANCY WARRANTY DEED**

This Indenture made this 6th day of November, in the year of Our Lord one thousand nine hundred Ninety-Eight, between **Morris Edward Dean**, of the County of Hart, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Morris Edward Dean and Renee Marie Dean** of the County of Hart, and State of Georgia, as parties of the second part, whose mailing address is **320 Bailey's Garage Road, Bowersville, GA 30516**, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH, That said Grantor, for and in consideration of the natural love and affection of Grantor for a Grantee herein, his wife, and the sum of ONE (\$1.00) DOLLAR in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants with survivorship, as defined and created by Ga. Laws 1976, pp. 1438 and 1439 (O.C.G.A. Section 44-6-190), the heirs, executors, and assigns of the survivor, the following described property, to-wit:

ALL that tract or parcel of land, with improvements thereon, situated in the 1119th Georgia Militia District of Hart County, Georgia, containing 1.46 acres, more or less, and being known and designated as LOT ONE-B (1-B), and being bounded now or formerly substantially as follows: East and Northeast by Lot 2; Southeast by the 60-foot wide right of way of Musket Trail; Southwest by the right of way of County Road 268; West by Lot 1-A; and Northwest by lands of the United States of America (Lake Hartwell Dam Reservoir Project); and being more particularly shown and delineated on a plat of a survey prepared by A. M. Britt, Registered Land Surveyor, dated April 28, 1986, recorded in Plat Book 25, Page 142, in the Office of the Clerk of the Superior Court of Hart County, Georgia.

This deed is made and said property conveyed subject to those restrictive covenants set forth in a Warranty Deed from Jimmy P. Myerholtz to Morris Edward Dean dated October 12, 1984, recorded in Deed Book 170, Pages 702-703, Hart County, Georgia Records; and by reference, said plat and said deed are specifically incorporated herein and made a part of this description and conveyance.

**LESS AND EXCEPT:**

ALL that lot or parcel of land, with improvements thereon, situated in the 1119th Georgia Militia District of Hart County, Georgia, containing 0.28 acres, more or less, as per thereof prepared for Gail Anne & Richard Gold prepared by Dean H. Teasley, Registered Land Surveyor, dated May 8, 1992, recorded in Plat Book 28, Page 346, Hart County, Georgia Records, as described in a Warranty Deed from Morris Edward Dean to Richard Gold and Gail Anne Gold dated July 6, 1992, recorded in Deed Book 237, Pages 270-271, Hart County, Georgia Records.

TO HAVE AND TO HOLD said property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants with survivorship as defined above, the heirs, executors, and assigns of the survivor, forever, in fee simple.

AND THE SAID Grantor will warrant and forever defend the rights and title to the above described property unto the said Grantees against the claims of all persons whomsoever.



FORT REALTY

# SELLER'S PROPERTY DISCLOSURE STATEMENT (LOT/LAND) EXHIBIT " \_\_\_\_\_ "



2018 Printing

This Seller's Property Disclosure Statement ("Statement") is an exhibit to the Purchase and Sale Agreement with an Offer Date of Oct 18, 2018 for Property known as or located at:

LOT 1 B POWDER BAG CREEK, HARTWELL Georgia 30643

This Statement contains Seller's disclosures to Buyer regarding the present condition of the Property, certain past repairs and the history of the Property.

**A. INSTRUCTIONS TO SELLER IN COMPLETING THIS DISCLOSURE STATEMENT.** In completing this Disclosure Statement, Seller agrees to:

- (1) answer all questions in reference to the Property (which, unless otherwise noted, shall include the improvements thereon);
- (2) leave no question unanswered;
- (3) answer all questions fully and accurately based upon the best knowledge and belief of all Sellers in the Lot/Land Purchase and Sale Agreement;
- (4) fully explain in the Additional Explanations paragraph any questions to which the answer is "yes" or "don't know" referencing the number of the question for which the additional explanation is being given; and
- (5) promptly revise the Statement and provide a copy of the same to the Buyer and any Broker involved in the transaction if prior to closing there are any material changes in the answers to any of the questions.

**B. HOW THIS STATEMENT SHOULD BE USED BY BUYER.** The answers of Seller below should not be a substitute for Buyer conducting a careful, independent evaluation of the Property. Caveat emptor or buyer beware is the law in Georgia. Buyer is expected to use reasonable care to identify defects in the Property and satisfy herself or himself that the Property is suitable for Buyer's needs and purposes. If an independent evaluation of the Property reveals potential problems or areas of concern that would cause a reasonable buyer to investigate further, Buyer may not have legal recourse if Buyer fails to investigate further.

**C. DISCLOSURES.**

	Yes	No	Don't Know
<b>1. OCCUPANCY:</b>			
(a) Is the Property vacant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, how long has it been since Seller occupied the Property? <u>1984 WHEN PURCHASED</u>			
(b) Is the Property or any portion thereof leased?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2. COVENANTS, FEES AND ASSESSMENTS:</b>			
(a) Is the Property subject to a recorded Declaration of Covenants, Conditions and Restrictions ("CC&Rs") or other similar restrictions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Is the Property part of a condominium or community in which there is a homeowners' association? [IF YES, SELLER IS INSTRUCTED TO ADDITIONALLY FILL OUT AND PROVIDE TO BUYER A COMMUNITY ASSOCIATION DISCLOSURE EXHIBIT, GAR FORM 123].	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3. THE PROPERTY:</b>			
(a) How many acres are in Property? <u>1.18</u>			
(b) What is the current zoning of Property? <u>RESIDENTIAL</u>			
(c) Will conveyance of Property exclude any mineral, oil and timber rights?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are there any governmental allotments committed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have any licenses or usage permits been granted for, but not limited to, crops, minerals, hunting, water, grazing or timber?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>4. SOIL, TREES, SHRUBS AND BOUNDARIES:</b>			
(a) Is there any fill dirt on Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Are there any landfills (other than foundation backfill), graves, burial pits, caves, mine shafts, trash dumps or wells (in use or abandoned)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there now or has there ever been any visible soil settlement or movement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Is any part of Property located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are there any drainage or flooding problems on Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Are there any diseased or dead trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Are there presently any encroachments, unrecorded easements or boundary line disputes with a neighboring property owner?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THIS FORM IS COPYRIGHTED AND MAY ONLY BE USED IN REAL ESTATE TRANSACTIONS IN WHICH Sherry Wheeler IS INVOLVED AS A REAL ESTATE LICENSEE. UNAUTHORIZED USE OF THE FORM MAY RESULT IN LEGAL SANCTIONS BEING BROUGHT AGAINST THE USER AND SHOULD BE REPORTED TO THE GEORGIA ASSOCIATION OF REALTORS® AT (770) 451-1831.

Yes	No	Don't Know
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**5. TOXIC SUBSTANCES:**

- (a) Are there any underground tanks or toxic or hazardous substances such as asbestos?  Yes  No  Don't Know
- (b) Has Property ever been tested for radon or any other environmental contaminants?  Yes  No  Don't Know

**6. OTHER MATTERS:**

- (a) Have there been any inspections in the past year?  
If yes, by whom and of what type? \_\_\_\_\_  Yes  No  Don't Know
- (b) Are there any violations of local, state or federal laws, codes or regulations with respect to Property?  Yes  No  Don't Know
- (c) Have you received notices by governmental or quasi-governmental agency affecting Property?  Yes  No  Don't Know
- (d) Are there any existing or threatened legal actions affecting Property?  Yes  No  Don't Know
- (e) Is there any system or item on Property which is leased or which has a fee associated with its use?  Yes  No  Don't Know
- (f) Are there any private or undedicated roadways for which owner may have financial responsibility?  Yes  No  Don't Know
- (g) If Property is served by well water, is the well on Property?  Yes  No  Don't Know
- (h) Has the Property been enrolled in a Conservation Use Program?  
If yes, when was the Property enrolled? \_\_\_\_\_  Yes  No  Don't Know
- (i) Are there any other latent or hidden defects that have not otherwise been disclosed?  Yes  No  Don't Know

**7. AGRICULTURAL DISCLOSURE:**

Is Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use?  Yes  No  Don't Know

It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

**8. UTILITIES:**

Seller warrants that the following utilities serve Property. (The term "serve" shall mean: the indicated utilities and services are available and functional at the property line.) Check (✓) only those utilities below that are included in the sale of Property. [The utilities listed below that are not checked do not serve Property.]

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Electricity      | <input type="checkbox"/> Public Sewer            |
| <input type="checkbox"/> Natural Gas                 | <input checked="" type="checkbox"/> Public Water |
| <input checked="" type="checkbox"/> Telephone        | <input type="checkbox"/> Private/Well Water      |
| <input checked="" type="checkbox"/> Cable Television | <input type="checkbox"/> Shared Well Water       |
| <input type="checkbox"/> Garbage Collection          | <input type="checkbox"/> Other _____             |

**9. ADDITIONAL EXPLANATIONS FOR ALL QUESTIONS ANSWERED "YES":** [Explanations should reference the number of the question for which more detailed information is being provided.]

Additional pages  are or  are not attached.

**SELLER'S REPRESENTATION REGARDING SELLER'S LOT/LAND PROPERTY DISCLOSURE STATEMENT:**

Seller represents that Seller has followed the Instructions to Seller in Completing This Disclosure Statement set forth in Paragraph A above and will follow the same in updating this Disclosure Statement as needed from time to time.

Seller: Morris Khan

Date: 10-18-18

Seller: Renee W Khan

Date: 10-18-18

Additional Signature Page (F149)  is  is not attached.

**RECEIPT AND ACKNOWLEDGMENT BY BUYER:**

Buyer acknowledges the receipt of this Seller's Lot/Land Property Disclosure Statement.

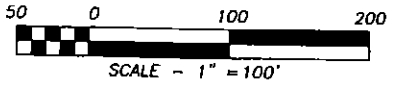
Buyer: \_\_\_\_\_

Date: \_\_\_\_\_

Buyer: \_\_\_\_\_

Date: \_\_\_\_\_

Additional Signature Page (F149)  is  is not attached.

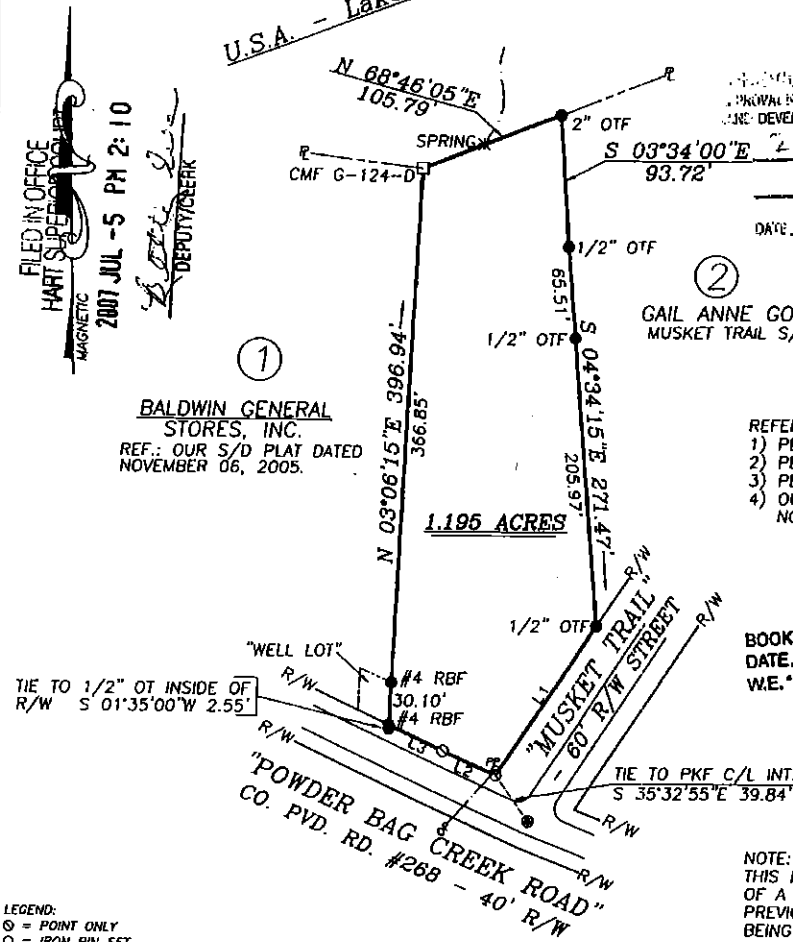


CALLS ALONG 40' R/W OF C.R. #268 AND 60' R/W OF "MUSKET TRAIL"

Course	Bearing	Distance
L1	S 33°54'15" W	127.91'
L2	N 65°40'55" W	41.58'
L3	N 64°26'20" W	42.47'

FILED IN OFFICE  
HART SUPERVISOR  
MAGNETIC  
2007 JUL -5 PM 2:10  
DEPUTY CLERK

U.S.A. - Lake Hartwell



PROBABLY RECORDED  
RECORD NOT REQUIRED IN ACCORDANCE WITH  
THE DEVELOPMENT STANDARDS OF HART COUNTY

DATE: 7-5-07

①  
BALDWIN GENERAL STORES, INC.  
REF.: OUR S/D PLAT DATED NOVEMBER 06, 2005.

②  
GAIL ANNE GOLD  
MUSKET TRAIL S/D

- REFERENCES:
- 1) PLATBOOK 25, PG. 142
  - 2) PLATBOOK 2-C, PG. 161
  - 3) PLATBOOK 28, PG. 346
  - 4) OUR SURVEY DATED NOVEMBER 06, 2005.

RECORDED  
BOOK 33 PAGE 687  
DATE 7-5-07  
W.E. BILL HOLLAND, III, Clerk

- LEGEND:
- ⊙ = POINT ONLY
  - = IRON PIN SET
  - = IRON PIN FOUND
  - IPF = 1/2" REBAR SET
  - IPF = IRON PIN FOUND
  - RBF = REBAR FOUND
  - CTF = CRIMP TOP PIPE FND.
  - OTF = OPEN TOP PIPE FND.
  - CMF = CONCRETE MONUMENT FND.
  - GMF = GRANITE MONUMENT FND.
  - AIF = ANGLE IRON FOUND
  - SPK = RAILROAD SPIKE SET
  - PKS = PK NAIL SET
  - O/S = OFFSET
  - ℙ = PROPERTY LINE
  - ℄ = CENTERLINE
  - OP--- = OVERHEAD POWERLINE
  - S--- = SANITARY SEWER
  - P.O.B. = POINT OF BEGINNING
  - B.S. = BUILDING SETBACK

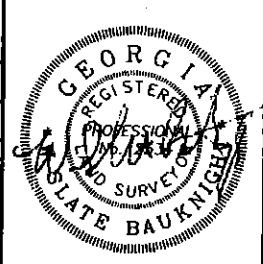
NOTE:  
PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS & RIGHTS OF WAY OF RECORD.

- NOTES:
- 1) SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
  - 2) SURVEYOR HAS MADE NO INVESTIGATION OF INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

NOTE:  
THIS IS A BOUNDARY SURVEY OF A PORTION OF A LOT PREVIOUSLY DIVIDED AND BEING KNOWN AS LOT #1-B.

THE FIELD EQUIPMENT USED FOR THIS SURVEY WAS A TOPOCON GIS. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 51,539 FEET AND AN ANGULAR ERROR OF SEC. PER ANGLE POINT AND WAS ADJUSTED USING NO RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 208,221 FEET.  
I HEREBY CERTIFY THAT IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

SURVEY FOR:			<b>MORRIS DEAN</b>		
COUNTY:	HART	G.M.D.:	1119	STATE:	GEORGIA
DATE:	JUNE 11, 2007	SCALE:	1" = 100'	PARTY CHIEF:	JMP
SURVEYED BY:			DRAWN BY: RPA		
BAUKNIGHT & ASSOCIATES, INC.			APPROVED BY: WSB		
W. SLATE BAUKNIGHT AARON P. BLOMBERG			CRD FILE: 07191		
GEORGIA RLS # 2534 GEORGIA LSIT # 864			DWG FILE: 07191		
SOUTH CAROLINA RLS # 20471					
109 NORTH JACKSON STREET					
HARTWELL, GA. 30643					
706-376-5946 706-245-0927					
CALL TOLL FREE 1-888-376-5946					



BLMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA

WARRANTY DEED.

STATE OF GEORGIA, HART COUNTY.

THIS INDENTURE, made this 12th day of October, in the year of our Lord, One Thousand Nine Hundred and Eighty-Four, between

JIMMY P. MYERHOLTZ

of the County of Hart, State of Georgia of the first part, and

MORRIS EDWARD DEAN

of the County of Hart, State of Georgia of the second part.

WITNESSETH: That the said party of the first part for and in consideration of the sum of TEN AND 00/100 (\$10.00) DOLLARS, AND OTHER VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened and conveyed, and by these presents does grant, bargain, sell, assign and convey unto the said party of the second part, his heirs and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in the 1119th District, G.M., Hart County, Georgia, being designated as Lot No. 1, containing 2.48 acres, more or less, and being bounded on the North by property of the United States Government; on the East by Lot No. 2 and the 60' right-of-way street as shown on the plat hereinafter referred to; on the South by the right-of-way of County Paved Road No. 268, and on the West by property of Tom Temple, and being more particularly described as to courses and distances in the following manner: BEGINNING at a point along the right-of-way of County Paved Road No. 268, at a common corner with lands of Tom Temple, and running thence North 05°-43' East 360.60 feet to an iron pin; thence South 83°-20' East 105.80 feet to a cement government marker; thence North 68°-40' East 105.90 feet to a point; thence South 03°-34' East 93.71 feet to an iron pin; thence South 34°-18' East 181.91 feet to a point; thence South 93°-54' West 273.81 feet to a point; thence North 66°-12' West 213.30 feet to the point of beginning; said lot of land is also shown on a plat prepared by Dean H. Teasley, Surveyor, dated March 16, 1983, of record in Plat Book 2-C, at page 161, Clerk's Office, Hart County, Georgia, which plat and the recordation thereof are by reference incorporated herein in aid of this description.

This property is conveyed subject to the following binding restrictive covenants which run with the land and are binding on all subsequent owners:

1. No mobile or modular homes;
2. No home of used materials;
3. No commercial enterprises;
4. No block homes;
5. Each home shall have a minimum of 1,200 square feet in the case of a single storey residence, and if a split level or two story home, the main floor shall be not less than 1,000 square feet;
6. No home shall be constructed on less than .7 of an acre;
7. A camper may be placed on said lot and used as a temporary residence for a period of not more than sixty days, but in no event shall a camper be used as a permanent residence;
8. All utilities serving the property which are located on the property shall be placed underground.

Restrictions



Hart County, Georgia
Paid For Transfer Tax
Paid \$ 17.00
Date 10/26/84
Chief Deputy Clerk of Superior Court

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being belonging or in any wise appertaining, to the only proper use,