

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
August 15, 2019

Subject: Who paid Kevin Ensley for Survey for the Super-Duper Sports Complex Land?

I thought it was customary for the Buyer to pay for a survey when purchasing land. How is it that **L. Kevin Ensley's** name appears on the William L. Jones Estate Account Disbursement List [re: 3-E-219] for \$3,550.00? Can someone explain that to me?

According to GIS, PIN 8607-27-9452 (Jonathan Creek **James Weaver "Kirk" Kirkpatrick the III** Super-Duper Sports Complex, a.k.a., the **David Francis** Dirt Spreading Project) was purchased by Haywood County on 8/31/2007 for \$1,114,922.

See GIS data sheet, appended.

It refers to Deed Book 715, Page 657. See the deed, appended.

Page 4, EXHIBIT "A" indicates, at the end of the first paragraph (highlighted) that the survey was performed by "L. Kevin Ensley, PLS, dated March 23, 2007". It continues to state that "This property is located within a Flood Zone".

WTF? **Ensley** knew about this with he surveyed the property. Now Commissioner **Ensley** is the promoter in chief of having **David Francis** dump a half-million dollars to elevate (a portion) of this Land.

Kevin Ensley brought to light a document from the Estate File of William L. Jones the fact that **Chip, a.k.a. Leon Killian the III** was being paid during the year long law suit from funds out of the Estate Account.

See: [08CVS51. HAYWOOD COUNTY, NORTH CAROLINA and WILLIAM LUCIUS JONES, by his guardian, SAM UNDERWOOD, Plaintiffs, v. GREGORY TODD FERGUSON, Defendant. 2/9/2019...](#)

or

<http://www.haywoodtp.net/pubII/190208-08CVS51.pdf>

See also: <http://www.haywoodtp.net/pubTP/T190807.pdf> , page 23.

There is an interesting pot-pourri of characters being paid out of this Estate Account (3-E-219 Disbursements, appended, and highlighted), including **Nelson Mullins**, Dennis Hall and **Michael Jordan**. It is here that **L. Kevin Ensley** shows up as being paid \$3,550.00. Can someone explain what this is for?

Monroe A. Miller, Jr.
Haywood County Taxpayer



COUNTY | NC

AUG 15 2019

Search Results Layers

Results List

Details

View Tax Card (taxhandler.ashx?id=8607-27-9452)

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
215 N MAIN ST
WAYNESVILLE, NC 28786

PIN:	8607-27-9452	Acct#:	40325
Legal Ref 1:	715/657 (DeedReference.aspx?target='715/657')	Add Ref 1:	941/83
Legal Ref 2:		Add Ref 2:	749/1104

Acreage
22.09 AC

Tax Information		Tax Bill
Land:	\$739,600	2018
Building:	\$0	2017
Market:	\$739,600	
Deferred:	\$0	

Total Assessed: \$739,600

Sale Info
Price: \$1,114,922
Date: 8/31/2007

Additional Information
Address: 1585 JONATHAN CREEK RD

Subdivision:
Year Built:
Heated Area:
Building Desc:
Land Desc: Commercial Primary
Occupancy Desc:
Property Desc: JONATHAN CREEK RD

Zoom To Clear

Buffer



TRANSFER MADE ON RECORD

Date 8-31-07

By SD
8607-42-9859

AUG 15 2019



2007666051

HAYWOOD CO, NC FEE \$23.00
STATE OF NC REAL ESTATE EXTX
\$2230.00

PRESENTED & RECORDED
08-31-2007 11:37:27 AM

AMY R. MURRAY
REGISTER OF DEEDS
BY AMY MURRAY
REGISTER OF DEEDS

BK: RB 715
PG: 657-660

HAYWOOD COUNTY TAX CERTIFICATION

There are no delinquent taxes due that are a lien
against parcel number(s) 8607-42-9859
David B. Francis, Haywood County Tax Collector
Date: 8/31/07 By: [Signature]

Excise Tax \$2,230.00

Tax Lot No. 8607-42-9859 Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 20____
by _____

Mail after recording to Leon M. Killian, P.O. Box 30519, Raleigh, NC 27622-0519

This instrument was prepared by William I. Millar

Brief Description for the index 22.091 acres Jonathan Creek

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made August 30, 2007, by and between

GRANTOR

**WILLIAM LUCIUS JONES, by and through
SAM M. UNDERWOOD, the duly appointed and
Acting Guardian of the Estate of WILLIAM
LUCIUS JONES, an incompetent adult**

GRANTEE

**HAYWOOD COUNTY,
a body politic (a subdivision of the State of North
Carolina), whose address is:
215 N. Main Street
Waynesville, NC 28786**

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee 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 Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Ivy Hill Township, Haywood County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and made a part hereof by reference incorporated herein as if fully set forth.

This deed is made pursuant to an Order of Confirmation executed by the Clerk of Superior Court of Haywood County and executed by the Senior Resident Superior Court Judge for Judicial District 30-B in the matter of the Real Property of William Lucius Jones File No. 07-SP-135 where in SAM M. UNDERWOOD was authorized by the Clerk of Superior Court on May 1, 2007, to make the sale of the property described herein; that the sale was duly advertised for sale, that the sale was by public auction on June 2, 2007, that the final high bidder was Haywood County at the sum of \$1,114,921.50.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

A map showing the above described property is recorded in Book _____, page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described. IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed and delivered.

(Entity Name)

William Lucius Jones
WILLIAM LUCIUS JONES (SEAL)

By: _____
Title: _____

Sam M. Underwood, Guardian
By: Sam M. Underwood (SEAL)
Guardian of the Estate of William
Lucius Jones, Incompetent

By: _____
Title: _____

(SEAL)

By: _____
Title: _____

(SEAL)

State of North Carolina - County of HAYWOOD

I, the undersigned Notary Public of the County and State aforesaid, certify that SAM M. UNDERWOOD, Guradian of the Estate of William Lucius Jones, Incompetent, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed. Witness my hand and Notarial stamp or seal this 20th day of AUGUST, 2007.

My Commission Expires: 08-02-2011
[Signature]
Notary Public

William I. Millar
Notary Public
Haywood County, NC

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that

Witness my hand and Notarial stamp or seal this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

The foregoing _____ Certificate(s) of _____ is/are certified to be correct.

This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
Deputy/Assistant - Register of Deeds

WILLIAM LUCIUS JONES property on Jonathan Creek Road

EXHIBIT "A"

BEGINNING at an iron stake set (being a metal fence post) at the Western right-of-way of Jonathan Creek Road (U.S. Hwy. 276) which iron stake lies North 17-12-52 East 98.39 feet from NCGS Monument "TRIT" (NCGS Monument "MULE" lies North 28-55-44 East 2,988.07 feet from "TRIT") and runs North 67-31-37 West 839.22 feet (passing through a new iron stake [metal fence post] at 793.82 feet) to a point in the center of Jonathan Creek; thence with Jonathan Creek, as it meanders, seven calls: (1) North 22-10-24 East 99.48 feet, (2) North 39-58-40 East 213.22 feet, (3) North 36-12-48 East 447.36 feet, (4) North 71-28-35 East 204.98 feet, (5) North 52-50-46 East 276.30 feet, (6) North 43-16-11 East 217.77 feet, and (7) North 45-41-53 East 287.26 feet to a point on the Northern edge of a steel and timber bridge spanning the creek, being the Westmost corner of the Thomas Bryan Medford lot described in Deed Book 327 at Page 50; thence with the Southerly margin of that Lot and his adjoining Lot described in Deed Book 419 at 1163, and a tract belonging to John Michael Medford (461/82) South 43-56-43 East 354.68 feet (running generally along Pitts Drive) to an iron pin set in the Westerly margin of the right-of-way of Jonathan Creek Road where Potts Drive intersects with said Road; thence with said right-of-way seven calls: (1) South 29-03-53 West 10.12 feet to the South edge of Potts Drive; (2) continuing South 29-03-53 West 41.23 feet, crossing a 40-foot Drainage Easement belonging to the N.C.D.O.T. as described in Deed Book 238, Page 596, said easement running parallel with Potts Drive, (3) continuing South 29-03-53 West 105.07 feet to a concrete R/W Monument; (4) South 29-04-39 West 701.26 feet to another concrete R/W Monument, (5) South 29-06-56 West 145.77 feet, (6) South 28-30-20 West 153.38 feet, and (7) a curve to the left (Radius 2,661.48 feet a linear distance of 286.88 feet (Chord South 24-17-56 West 286.74 feet) to the BEGINNING, containing 22.091 acres, per survey and plat of L. Kevin Ensley, PLS, dated March 23, 2007, entitled "Survey for William Lucius Jones" and identified as Job B-005-07.

SUBJECT TO the aforesaid USDOT Drainage Easement and the easement for Potts Drive as the same exists, and the rights of various persons, if any, to take water from Jonathan Creek.

This property is located within a Flood Zone.

Reference: Will Book 4 Page 431; Deed Book 75 Page 184 Tract 1; Deed Book 122, Page 637

Estate File
03-E-219

WILLIAM L JONES

DISBURSEMENTS

6/01/2007 THRU 7/24/08

DATE	PAID TO	AMOUNT	CHECK NUMBER
6/15/2007	Village Pharmacy	\$ 139.62	1206
6/18/2007	Advance Services Inc	\$ 135.00	1207
6/21/2007	Notice Public-The Mountaineer	\$ 213.84	1208
7/2/2007	Advance Services Inc	\$ 135.00	1209
7/2/2007	Dennis Hall	\$ 2,880.00	1210
7/5/2007	CNA Surety	\$ 680.00	1211
7/17/2007	Village Pharmacy	\$ 1,112.70	1212
7/26/2007	Advance Services Inc	\$ 135.00	1213
7/30/2007	Dennis Hall	\$ 2,976.00	1214
8/6/2007	Village Pharmacy	\$ 10.00	1215
8/28/2007	Dennis Hall	\$ 2,976.00	1216
9/4/2007	Haywood County Tax Collector	\$ 2,358.02	1217
9/4/2007	US Post Master	\$ 16.25	1218
9/5/2007	William Millar (legal Fees)	\$ 20,000.00	1219
9/5/2007	US Post Master	\$ 16.25	1220
9/6/2007	Sam Underwood	\$ 55,746.07	1221
9/6/2007	Advance Services Inc	\$ 135.00	1222
9/6/2007	Village Pharmacy	\$ 1,172.90	1223
9/6/2007	L Kevin Easley LLS	\$ 3,550.00	1224
9/10/2007	Haywood County Clerk Of Court	\$ 200.00	1228
9/27/2007	Dennis Hall	\$ 3,240.00	1229
10/4/2007	Advance Services Inc	\$ 135.00	1230
10/4/2007	Waynesville Family Practice Center	\$ 17.28	1231
10/4/2007	Village Pharmacy	\$ 26.20	1232
10/4/2007	Haywood County Clerk Of Court	\$ 55.04	1233
10/4/2007	Sam Underwood	\$ 2,696.28	1234
10/15/2007	Advance Services Inc	\$ 135.00	1235
10/18/2007	T. Michael Jordan-Legal Fees	\$ 5,000.00	1236
10/23/2007	Haywood County Tax Collector	\$ 10.52	1238
10/31/2007	Dennis Hall	\$ 3,348.00	1239
11/6/2007	Village Pharmacy	\$ 1,156.02	1240
11/26/2007	Dennis Hall	\$ 3,240.00	1241
11/30/2007	Nelson Mullins & Scarborough LLC-Legal Fees	\$ 9,761.50	1242
12/10/2007	Dennis Hall	\$ 2,900.00	1243
12/10/2007	Smoky Mtn Foot Clinic	\$ 42.79	1244
12/28/2007	Dennis Hall	\$ 3,348.00	1245
1/4/2008	Waynesville Family Practice Center	\$ 43.20	1246
1/8/2008	T. Michael Jordan-Court Costs	\$ 104.00	1247
1/28/2008	Dennis Hall	\$ 3,348.00	1248
2/26/2008	Dennis Hall	\$ 3,132.00	1249
3/10/2008	Kim's Pharmacy	\$ 120.00	1250
3/26/2008	Dennis Hall	\$ 3,348.00	1251

4/2/2008	Kim's Pharmacy	\$	147.98	1252
4/14/2008	Waynesville Family Practice Center	\$	86.08	1253
4/15/2008	T. Michael Jordan-Legal Fees	\$	5,879.00	1256
4/15/2008	US Treasury-Tax Deposit	\$	150,000.00	1254
4/15/2008	NC Dept Of Revenue-Tax Deposit	\$	70,000.00	1255
4/28/2008	Dennis Hall	\$	3,240.00	1257
5/8/2008	Kim's Pharmacy	\$	265.17	1258
5/27/2008	Dennis Hall	\$	3,348.00	1261
5/29/2008	Nelson Mullins & Scarborough LLC-Legal Fees	\$	7,408.50	1260
5/29/2008	Waynesville Family Practice Center	\$	50.58	1259
6/5/2008	Garrett-Hill Crest	\$	1,691.75	1263
6/5/2008	CNA Surety	\$	680.00	1262
6/9/2008	Wells Funeral Home	\$	9,353.90	1264
	Total Disbursements	\$	<u>391,945.44</u>	