

ENVELOPE

2004080750 00062

FORSYTH CO, NC FEE \$17.00  
STATE OF NC REAL ESTATE EXT

\$68.00

PRESENTED & RECORDED:

11-23-2004 11:18 AM

DICKIE C WOOD

REGISTER OF DEEDS

By:TIMOTHY R WILLIAMS ASST

BK:RE 2522

PG:344-345

### TRUSTEE'S DEED

Grantee's Address: The Bank of New York as Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series 1997-C  
c/o Fidelity Natl FC Sol., 1270 Northland Dr., #200, Mendota Heights, Minnesota 55120

Drawn by and Mail to: Shapiro & Ingle, LLP  
8520 Cliff Cameron Drive, Suite 300  
Charlotte, NC 28269

Tax Code#: 0760 208

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH Documentary Stamps \$68.00

THIS DEED, made this November 19, 2004, by and between David W. Neill, Substitute Trustee per document recorded in book 2491 page 1642 Forsyth County Registry, for Countrywide Title Corporation, Trustee, in the deed of trust hereinafter mentioned, of Forsyth County, North Carolina, hereinafter referred to as "first party"; and The Bank of New York as Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series 1997-C, hereinafter, whether one or more, referred to as "second party" (the singular masculine pronoun wherever hereinafter used to be construed as masculine, feminine or neuter and as singular or plural as the context may indicate or require),

WITNESSETH, THAT WHEREAS, under date of June 25, 1997, Mark T. Maglero executed and delivered unto Countrywide Title Corporation, as trustee, a certain deed of trust which is duly recorded in the office of the Register of Deed for Forsyth County, N.C., in Book 1953, Page 3130, to which reference is hereby made; and whereas, default having occurred in payment of the indebtedness secured by said deed of trust and in the performance of the stipulation and conditions therein contained, due demand was made upon the first party by the owner and holder of the indebtedness secured by said deed of trust or part of same that he foreclose the said deed of trust and sell the property under the terms thereof and a special proceeding having been instituted on July 30, 2004 with the Clerk of Superior Court of Forsyth County, said special proceeding being number 04SP1315; and whereas, under and by virtue of the power and authority in him vested by the said deed of trust and in accordance with the terms and stipulation of same and after due advertisement as in said deed of trust provided and as by law required, the first party at 2:00 PM, on November 8, 2004, did expose the land described in said deed of trust, and hereinafter described and conveyed, to sale at public auction at the Forsyth County Courthouse door, when and where The Bank of New York as Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series 1997-C became the last and highest bidder for the said land at the price of \$34,246.19 and whereas the first party duly reported said sale to the Clerk of Superior Court of said county, as by law required, and thereafter said sale remained open ten days and no advance bid was place thereon within the time allowed by law.

NOW, THEREFORE, In consideration of the premises and of the payment of the said purchase price by The Bank of New York as Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series 1997-C the receipt of which acknowledged, and pursuant to the authority vested in him by the terms of said deed of trust, said first party, substitute trustee as aforesaid, does hereby bargain, sell, grant and convey unto The Bank of New York as Trustee under the Pooling and Servicing Agreement dated as of August 31, 1997, Series 1997-C all that certain lot or parcel of land, lying and being in Forsyth County State of North Carolina, and more particularly described as follows:

Located in Forsyth County, North Carolina: Being known and designated as Lot 208 on the Map of Pack Builders and Supply, Inc. recorded in the Office of the Register of Deeds of Forsyth County, North Carolina in Plat Book 15, at Page 17, and being part of the property conveying to Pack Builders and Supply, Inc. by Harrell V. Pack and wife, Jeanette W. Pack, by deed recorded in Deed Book 597, Page 330; Also known as Lot 208, Tax Block 760, Forsyth County, North Carolina, Tax Maps.

TO HAVE AND TO HOLD the said land, together with all the privileges and appurtenances thereunto belonging, unto said second party, its successors and assigns, forever, in as full and ample manner as the first party, substitute trustee, is authorized and empowered to convey the same.

IN WITNESS WHEREOF, The said first party, substitute trustee as aforesaid, has hereunto set his hand and affixed his seal the day and year first above written.

 (SEAL)  
David W. Neill  
Substitute Trustee

STATE OF NORTH CAROLINA

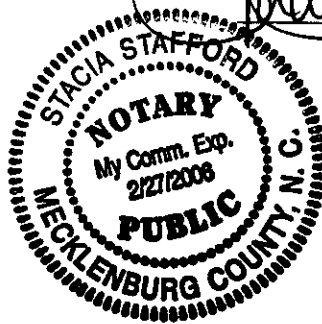
COUNTY OF MECKLENBURG

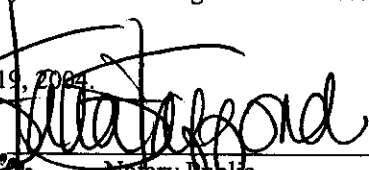
I, Stacia Stafford, Notary Public in and for the State and County aforesaid, do hereby certify that David W. Neill Substitute Trustee, personally appeared before me this day and acknowledge the due execution by him/her of the foregoing and attached instrument as substitute trustee.

WITNESS my hand and official seal this November 19, 2006

My Commission expires: 02/27/06

02-34864



  
Notary Public

STATE OF NC - FORSYTH CO  
Stacia Stafford

The foregoing certificate(s) of:

NP(s)

is certified to be correct at the date of recordation shown on the first page thereof,  
Dickie C. Wood, Register of Deeds by:  Deputy/Asst.