2006065691 00124

FORSYTH CO, NC FEE \$20.00

STATE OF NC REAL ESTATE EXTX

\$492.00

PRESENTED 4 RECORDED:

10-17-2006 11:22 MM

DICKIE C WOOD

REGISTER OF DEEDS
BY: PATSY RUTH DAVIS DPTY

BK: RE 2701

PG: 3694-3696

Drafted by: Gilbert T. Davis, Jr.

Mail Back: DAVIS & BREWER BOX NO. 67

NORTH CAROLINA
FORSYTH COUNTY

DEED

This deed, made and entered into this the <u>Jb</u> day of October, 2006, by and between Gilbert T. Davis, Jr., acting as substituted Trustee as hereinafter stated, party of the first part, of Davie County, North Carolina; and The Fidelity Bank, party of the second part, of Wake County, North Carolina;

### WITNESSETH:

THAT WHEREAS Thomas H. Burns and wife, Shirley B. Burns, executed to said Haywood A. Lane, Jr., Trustee, upon the lands hereinafter described, that certain Deed of Trust dated March 28, 2003, and recorded in Book 2335, page 1516, in the office of the Register of Deeds of Forsyth County, North Carolina; and,

WHEREAS, a Substitution of Trustee was recorded in Book 2679, page 3235, in the office of the Register of Deeds for Forsyth County, North Carolina, whereby the undersigned was substituted as Trustee; and,

WHEREAS, the indebtedness thereby secured being overdue and unpaid, and the holder of the said indebtedness having called for foreclosure of the Deed of Trust, and after proper notice given to those persons entitled by law to such notice, a hearing was held before the Clerk of Superior Court of Forsyth County, North Carolina, and an order entered by the Clerk of Superior Court directing the undersigned Substitute Trustee to proceed with the foreclosure of the Deed of Trust, and after due advertisement of the notice of sale as required by law and the terms of the Deed of Trust, and offered for sale the lands described in the Deed of Trust at the door of the Forsyth County Courthouse in Winston-Salem, North Carolina, to the highest bidder for cash at 11 a.m. on the 6<sup>th</sup> day of October, 2006, when and where The Fidelity Bank became the last and highest bidder at the price of Two Hundred, Forty-Six Thousand Dollars; and,

WHEREAS, a report of the sale was filed with the Clerk of Superior Court by the Substitute Trustee on the 6<sup>th</sup> day of October, 2006, and,

WHEREAS, the bid remained open for more than ten (10) days and no advance bid was offered and no objection made; and

WHEREAS, the purchase price has been paid;

**NOW, THEREFORE**, the said Gilbert T. Davis, Jr., acting as Substituted Trustee as aforesaid, and under order of the Clerk of Superior Court, in consideration of the premises and of the said sum of Two Hundred, Forty-Six Thousand Dollars to him in hand paid, has bargained and sold and by these presents, does grant, bargain, sell and convey unto The Fidelity Bank and its successors and assigns, the land sold as aforesaid, the same being more particularly described as follows:

### 1223 HATTIE AVENUE; TAX BLOCK 0835, LOT 070

Adjoining the lands of Savanna Jones Medford, Charlie Jones, III and his wife, Carolyn Jones. Lying and being on the east side of Hattie Avenue and being all of Lots 70 and 72, of the Block numbered 835, Winston Township, Forsyth County Tax Records, Forsyth county Supervisor's Office, Forsyth County Courthouse, Winston-Salem, North Carolina, beginning at the northwest corner Lot 74 located 7 ft. east

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of the curb of Hattie Avenue, and running thence North 4 deg. 15' East 48.40 ft. to the southwest corner of Lot No. 68; thence running on the lot division line of Lots 68 and 70 South 85 deg. 45' East 100 ft. to the southeast corner of Lot No. 68; thence running on the block division line South 4 deg. 15' West 48.40 ft. to the northeast corner of Lot No. 74, same being the southeast corner of Lot 72; thence running on the lot division line of Lots 72 and 74 North 85 deg. 45' West 100 ft. to the BEGINNING, containing 4,840 sg. ft. or 0.11 acre, more or less.

## 1409 EAST 23RD STREET; TAX BLOCK 428, LOT 46

BEING KNOWN AND DESIGNATED as Lot 46, as shown on the map of "Parkview," map of which is recorded in Plat Boo 8, page 50, Forsyth County Registry, reference to which plat is hereby made for a more particular description.

# 1421 FITCH STREET; BLOCK 1417, LOTS 341 & 342

BEING KNOWN AND DESIGNATED as Lots 341 and 342 as shown on the Revised Map of Columbia Heights Extension, as recorded in Plat Book 4, page 177, in the office of the Register of Deeds of Forsyth County, North Carolina, reference to which is hereby made for a more particular description.

# 3533 GLENN AVENUE, WINSTON-SALEM, NC; TAX BLOCK 988, LOTS 23P, 205 & 206

BEGINNING at an iron stake located in the southeast line of Glenn Avenue, said iron stake being located at the northwest corner of Lot 22, as shown on the plat of Bronton Development as recorded in Plat Book 9, page 115, in the office of the Register of Deeds of Forsyth County, NC; running thence with the southeast right-of-way line of Glenn Avenue a chord distance of North 44 deg. 59' 27" East 79.62 feet to an iron stake and a chord distance of North 46 deg. 31' 02" East 66.08 feet to an iron stake located at the northeast intersection of the right-of-way lines of Chemical Street (now abandoned) and Glenn Avenue; running thence with the north line of said Chemical Street (now abandoned) South 89 deg. 10' 00" East 63.96 feet to an iron stake; running thence South 03 deg 22' 42" West 111.51 feet to an iron stake; running thence North 86 deg. 17' 21" West 161.95 feet to the point and place of BEGINNING. Being the same property conveyed to George William Robertson and wife, deed recorded in Book 1439, page 1484. Also being Lot 23 and a portion of Chemical Street and a portion of Creason Street (both now closed) as shown on plat of Bronton Development as recorded in Plat Book 9, page 115, in the office of the Register of Deeds of Forsyth County, NC. For further reference see Deed Book 1935, page 3621.

# 3535 GLENN AVENUE, WINSTON-SALEM, NC; TAX BLOCK 986, LOTS 010 & 103 Tract I:

BEGINNING at a point in the eastern line of Glenn Avenue, corner to land of the Norfolk and Western Railway Company; said point being at right angles to and about 1,240 feet distant westwardly from a point in the center lie of main track of the Shenandoah Division, Winston-Salem District of said Railway at or about Station 6253+25 and at Mile Post R-123+2352 feet, more or less, as measured from Roanoke, Virginia; thence with the eastern line of Glenn Avenue, the western line of said land, North 44 deg 10' East 50.35 feet to a point corner to said land and corner to land conveyed by Virginia Holding Corporation to the City of Winston-Salem, NC, by Statement of Dedication dated May 5, 1964, recorded in the office of the Register of Deeds of Forsyth County, NC, in Deed Book 881, page 154; thence with the dividing line between said lands North 66 deg. 51' East (North 68 deg. 50' East - Deed) 15.94 feet to a point in the western line of Creason Street (closed), corner of aid lands; thence with the eastern line of said Railway Company, the western line of Creason Street (closed), South 0 deg. 58' West 43.21 feet to a point corner of said land; thence with the southern line of said land North 89 deg. 02' West 49.03 feet to the point of BEGINNING and containing 0.028 of an acre, more or less. Being part of the land acquired by the Norfolk and Western Railway Company from TJ Culler et ux by deed dated June 16, 1958, recorded in Book 763, page 351, Forsyth County Registry, and also being Parcel 2 in deed recorded in Deed Book 1034, page 163, Forsyth County Registry.

### Tract II:

BEGINNING at a point in the western line of Creason Street (closed), corner to hereinbefore described Parcel No. 2; thence with the western line of said Creason Street (closed), the eastern line of said Parcel No. 2, in a northerly direction for a distance of 43.21 feet to a point in the southern line of Gaynor Street; thence with the southern line of Gaynor Street eastwardly for a distance of about 28 feet to a point in the center line of Creason Street (closed); thence with the center line of Creason Street (closed) southwardly for a distance of about 60 feet to a point; thence westwardly for a distance of 25 feet to the point of BEGINNING and containing 0.03 of an acre, more or less, and also being Parcel 2A in the deed recorded in Deed Book 1034, page 163, Forsyth County Registry. For further reference see Deed Book 1917, page 3223.

### 1404 GHOALSON STREET; TAX BLOCK 1417, LOTS 353 & 354

BEING KNOWN AND DESIGNATED as Lots No. 353 and 354, as shown on Map of Columbia Heights Extension as recorded in Plat Book 4, page 177, in the office of the Register of Deeds of Forsyth County, North Carolina, reference to which is hereby made for a more particular description.

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## 3531 GLENN AVENUE; TAX BLOCK 0988, LOTS 021P & 022P

BEGINNING at an iron located in the southeast right-of-way line of Glenn Avenue, said iron is located at the northwest corner of CW Myers Trading Post, Inc. property described I Deed Book 1460, page 415, Forsyth County Registry; running thence with the southeast right-of-way line of Glenn Avenue, North 38 deg. 51' 05" East 61.65 feet to an iron and North 41 deg. 39' 25" East 64.06 feet to an iron; running thence South 86 deg. 16' 00" East 131.79 feet to iron; running thence South 03 deg. 26' 15" West 100.96 feet to an iron; running thence North 86 deg. 16' 00" West 207.15 feet to the point and place of BEGINNING, containing 0.395 acres, more or less, as shown on map prepared by Richard P. Bennett, RLS, for Sherman J. Green and wife, Robette F. Green dated August 23, 1996. Being the same property described in Deed Book 1707, page 460, Forsyth County Registry. For chain of title see Deed Book 2147, page 4288.

REFERENCE FORECLOSURE CASE NO. 06 SP 1486, FORSYTH COUNTY

TO HAVE AND TO HOLD, the lands and premises, together with all privileges and appurtenances thereunto belonging to the said party of the second part and its successors and assigns in as full and ample a manner as the said Substitute Trustee has power to convey the same.

THIS CONVEYANCE IS EXPRESSLY MADE SUBJECT TO UNPAID COUNTY AND CITY AD VALOREM TAXES, INCLUDING THOSE FOR THE YEAR 2006, AND ALSO CITY ASSESSMENTS, IF ANY.

**IN WITNESS WHEREOF**, the Substituted Trustee has hereunto set his hand and seal the day and year first above written.

Gilbert T. Davis, Jr., Substituted Trustee

NORTH CAROLINA FORSYTH COUNTY

|               | İ   | certify  | that     | the  | following    | person(s   | ) perso | onally | appeared     | before    | me    | this   | day,   |
|---------------|-----|----------|----------|------|--------------|------------|---------|--------|--------------|-----------|-------|--------|--------|
| acknowledgi   | ng  | to me    | that he  | volu | untarily sig | ned the fo | regoing | docur  | ment for the | e purpose | e sta | ted th | nerein |
| and in the ca | ıpa | city ind | licated: | Gill | pert T. Dav  | is, Jr.    | •       |        |              |           |       |        |        |

Date:

10/16/06

Debra Secord, Notary Public

DEBRA SECORD
Notary Public - North Carolina
Davie County
My Commission Expires 7/17/2011

My commission expires:

7/17/2011