

2009010250 00003

FORSYTH CO, NC FEE \$17.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED:

03-16-2009 08:46 AM

C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: SHANNON BOSTIC-GRIFFITH
DPTY

BK: RE 2879

PG: 423-424

ENVELOPE

TRUSTEE'S DEED

NORTH CAROLINA

FORSYTH COUNTY

TAX ID: 5414A 011B

REVENUE: \$ 0.00

Prepared by/Return to:

The Law Firm of Hutchens, Senter & Britton, P.A.

P.O. Box 1028, Fayetteville, NC 28302

Case No: 867.136009

THIS TRUSTEE'S DEED, made this 10th day of March, 2009, by Substitute Trustee Services, Inc., Substitute Trustee, of the County of Cumberland, and State of North Carolina, party of the first part, to Fannie Mae, P.O. Box 650043, Dallas, TX 75265-0043, party of the second part;

WITNESSETH

THAT WHEREAS, on the 31st day of October, 2006, Cynthia D. Malloy, executed and delivered to Jackie Miller, Trustee, a certain Deed of Trust, which is recorded in Book 2705, Page 3457, in the Office of the Register of Deeds of Forsyth County, North Carolina; and,

WHEREAS, the undersigned, Substitute Trustee Services, Inc., having been substituted as Trustee in said Deed of Trust by an instrument duly recorded in Book RE2857, Page 3874, Forsyth County Registry; and,

WHEREAS, in Special Proceeding Number 08 SP 2381, under and by virtue of the authority conferred by the said Deed of Trust, and in accordance with the terms and stipulations of the same, and after due advertisement as in Deed of Trust prescribed and by law provided, the said Substitute Trustee, did on the 25th day of February, 2009 at the Courthouse Door, in the City of Winston Salem, North Carolina, expose to public sale the lands hereinafter described, where and when, SunTrust Mortgage, Inc., a corporation organized and existing under the laws of the United States of America, became the last and highest bidder for the sum of One Hundred Thirty-Four Thousand Three Hundred Seventy-Four Dollars and 99/100 (\$134,374.99); and,

WHEREAS, SunTrust Mortgage, Inc. requested transfer and assignment of its bid to the party of the second part and whereas, under and by virtue of the authority contained in that certain Appointment of Substitute Trustee, recorded in Book RE2857, Page 3874, the said Substitute Trustee assigned said bid to Fannie Mae, its successors and assigns, party of the second part;

WHEREAS, said sale was duly reported to the Office of the Clerk of Superior Court, Forsyth County, North Carolina and no increased bid has been filed within the time allowed therefore by law;

NOW THEREFORE, in consideration of the premises and the sum of One Hundred Thirty-Four Thousand Three Hundred Seventy-Four Dollars and 99/100 (\$134,374.99), paid to the said party of the first part by said party of the second part, the receipt of which is hereby acknowledged and under and by virtue of the power and authority by said deed of trust conferred, the said Substitute Trustee, as aforesaid, does hereby bargain, sell and convey unto Fannie Mae, its successors and assigns, all that certain parcel, lot or tract of land lying and being in the County of Forsyth, State of North Carolina, and being more particularly described as follows:

TRACT 1:

Being known and designated as Lot Number 11 as shown on the Map of Bethel Forest, recorded in Plat Book 25, Page 194 in the Office of the Register of Deeds of Forsyth County, North Carolina, reference to which is hereby made for a more particular description.

Save and Except the following: BEGINNING at a new iron pipe marking the northwest corner of Lot # 11 in the of property now or formerly owned by L. Forrest Walker, and said point also being in the northeast terminus of the right-of-way of Colchester Drive as shown on the Plat of 'Bethel Forest, Section 1', thence running with Walker's southwest line South 35 deg 46' 19" East 123.81 feet to an iron pipe; thence South 69 deg. 19' 23" West 69.52 feet to an iron pipe in the east margin of the right-of-way of Colchester Drive; thence running with the east margin of the right-of-way said drive North 3 deg. 21' 26" West 125.22 feet to the point and place of BEGINNING. The herein described property constitutes a small triangular portion of Lot # 11, and consists of 0.95 acres according to computer calculation and being described in Deed Book 2008, Page 3171, Forsyth County Registry.

SUBJECT TO: A perpetual easement for the purpose of constructing and maintaining a roadway for ingress and egress and for installing and maintaining utilities over, under and across the following described property:

BEGINNING at an iron pipe in the eastern right-of-way line of Colchester Drive at the southwest corner of the triangular tract above described and running thence North 76 deg. 49' 10" East 67.36 feet to an iron; running thence South 69 deg. 19' 23" West 69.52 feet to an iron in the eastern right-of-way line of Colchester Drive; running thence with said right-of-way line North 03 deg. 21' 24" West 9.21 feet to an iron, the BEGINNING and being described in Deed Book 2008, Page 3173, Forsyth County Registry.

TRACT 2:

BEGINNING at an iron in the base of a tree, said iron being also located South 35 deg. 46' 19" East 123.81 feet from the northernmost corner of Lot 11 as shown on the Map of BETHEL FOREST, SECTION NO. 1, as recorded in Plat Book 25, Page 194, Forsyth County Registry; running thence North 89 deg. 05' 37" East 27.66 feet to an iron; running thence South 66 deg. 50' 21" East 147.48 feet to an iron; running thence South 41 deg. 16' 29" West 32.30 feet to an axle at a common corner of said Lot 11 and Lot No. 10 of Dwiggins Hills (see map recorded in Plat Book 20, Page 58); running thence with the northern line of said Lot No. 11 North 60 deg. 01' 59" West 163.85 feet to an iron, the BEGINNING. Being a strip carved from the property described in deed recorded in Book 1852, Page 1629 and Book 2008, Page 3175, Forsyth County Registry.

Together with improvements located thereon; said property being located at 2805 Colchester Drive, Kernersville, North Carolina.

The above described property is the same as that which is described in Deed Book 2633, Page 2430; Deed Book 2707 Page 864; Deed Book 2551 Page 3808 and Deed Book 2190 Page 3100 Forsyth County Registry and is further designated as Tax Lots 11B and 102 in Block 5414 A on the Forsyth County Tax Maps. A Correction Affidavit was recorded in Book 2705, Page 1636, Forsyth County Registry to correct the description.

SUBJECT, HOWEVER, to all taxes, special assessments and prior liens or encumbrances of record against said property and any recorded releases.

TO HAVE AND TO HOLD said lands and premises and all privileges and appurtenances thereto belonging unto the said Fannie Mae, its successors and assigns, forever, in as full and ample a manner as the said Substitute Trustee, as aforesaid, is authorized and empowered to convey the same.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

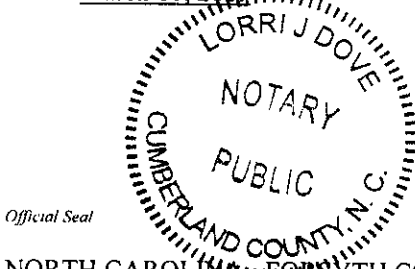
SUBSTITUTE TRUSTEE SERVICES, INC.
SUBSTITUTE TRUSTEE

BY: Palmer Maas

Palmer Maas Vice President

NORTH CAROLINA - CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Palmer Maas Vice President.

Date: March 10, 2009

Official Seal

Lorri J. Dove
Official Notary Signature
Lorri J. Dove Notary Public

Notary Public printed typed name

My Commission Expires: December 1, 2013

NORTH CAROLINA - FORSYTH COUNTY

The foregoing certification of Lorri J. Dove, a Notary Public, is certified to be correct. This instrument was presented for registration and recorded in this Office at Book _____, Page _____, this the _____ day of _____, 2009 at _____ O'clock ____ M.

REGISTER OF DEEDS

BY _____

Assistant/Deputy

RETURN TO:

The Law Firm of Hutchens, Senter & Britton, P.A.
P.O. Box 1028
Fayetteville, North Carolina 28302
Telephone: (910) 864-3068