2010021715 00056 FORSYTH CO, NC FEE \$22.00

NO TAXABLE CONSIDERATION
PRESENTED & RECORDED:
06-11-2010 11:27:00 AM
C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: PATSY RUTH DAVIS

BK: RE 2949 PG: 4202-4203

EXCISE TAX: \$0.00

PARCEL #: 6805-40-6398.00

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

SUBSTITUTE TRUSTEE'S DEED

THIS DEED, made this the 8th day of June, 2010, by and between David A. Simpson, P.C., Substitute Trustee, 7804 Fairview Road, #225, Charlotte, NC, 28226-4998, in the Deed of Trust hereinafter mentioned, of Mecklenburg County, North Carolina, hereinafter referred to as "Grantor," and Federal Home Loan Mortgage Corporation, c/o GMAC Mortgage, LLC, 1100 Virginia Drive, Fort Washington, PA, 19034, hereinafter referred to as "Grantee".

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WITNESSETH

WHEREAS, on August 31, 2001, Lucy Grey Johnston, executed and delivered unto Ron H. Davis, as Trustee, a certain Deed of Trust which was duly recorded on September 06, 2001, in Book 2198 at Page 1487 in the Office of the Register of Deeds for Forsyth County, North Carolina, to which reference is hereby made; and

WHEREAS, Grantor was appointed as Substitute Trustee under the foregoing Deed of Trust, pursuant to a Substitution of Trustee which was duly recorded on March 26, 2010, in Book RE 2938 at Page 1543 in the Office of the Register of Deeds for Forsyth County, North Carolina to which reference is hereby made; and

WHEREAS, default having occurred in the payment of the indebtedness secured by said Deed of Trust, due demand was made upon the Grantor by the owner and holder of the indebtedness secured by said Deed of Trust that it foreclose on said Deed of Trust and sell the property under the terms thereof; and

WHEREAS, under and by virtue of the power and authority in it vested by the said Deed of Trust and in accordance with the terms and stipulations of same, having instituted a special proceeding before the Clerk of Superior Court of Forsyth County, North Carolina, captioned "10-SP-740" and after due advertisement as provided in the Deed of Trust and as by law required, and due and timely notice having been given to the parties to said special proceeding, and a proper hearing having been conducted on Thursday, May 06, 2010, where upon the Clerk of Superior Court of Forsyth County, North Carolina authorized Grantor to proceed under said Deed of Trust and sell the real property as hereinafter described, Grantor, at 12:00 noon, on May 27, 2010, did expose the land described in said Deed of Trust, and hereinafter described and conveyed, subject to prior liens, restrictions, easements, conveyances and releases, for sale at public auction at the Forsyth County Courthouse, in the City of Winston-Salem, North Carolina, when and where GMAC Mortgage, LLC became the last and highest bidder for the said land at the price of \$66,879.52; and

Lucy Grey Johnston, 912.0001009 Prepared by and Return to: Attn: Deborah Freeman Rogers Townsend & Thomas, PC 2701 Coltsgate Road, Suite 300, Charlotte, NC 28211

ENVELOPE

WHEREAS, pursuant to authority contained in instrument recorded on March 26, 2010, in Book RE 2938 at Page 1543 of the Forsyth County Public Registry, the Substitute Trustee, David A. Simpson, P.C., hereby assigns the bid of GMAC Mortgage, LLC to Federal Home Loan Mortgage Corporation; and

WHEREAS, Grantor duly reported said sale to the Clerk of Superior Court of Forsyth County, North Carolina, as by law required, and thereafter said sale remained open ten days and no advance bid was placed thereon within the time allowed by law; and

WHEREAS, said purchase price has been fully paid; and

NOW, THEREFORE, in consideration of the premises and of the payment of the said purchase price by the Grantee, the receipt of which is hereby acknowledged, and pursuant to the authority vested in it by the terms of said Deed of Trust, Grantor, as Substitute Trustee, does hereby bargain, sell, grant and convey unto the Grantee, its successors and assigns, all of that certain lot or parcel of land, lying and being in Forsyth County, State of North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron lying in the north margin of Randall Street, said iron marking the southwest corner of property now or formerly owned by Lee P. Powell, Jr., as described in Deed Book 2136, page 3059, Forsyth County Registry; running thence with the North line of Randall Street North 80 deg. 53' 30'' West 116.12 feet to an iron placed; running thence on a new line North 10 deg. 38' 36'' East 315.06 feet to an iron placed; running thence South 75 deg. 10' 00'' East 101.9 feet to an iron pipe found (crossing iron pipes found at 72.14 feet and at 85.98 feet); running thence with the west line of said Powell's property South 07 deg. 47' 37'' West 304.93 feet to the point and place of BEGINNING, containing .771 acres, more or less, and also being known as Tax Lot 105, Block 3906 on the Tax Maps of Forsyth County as the same are presently constituted.

The above described property is not the primary residence of the Grantor.

To Have and to Hold the said land, together with all the privileges and appurtenances thereunto belonging, unto said Grantee, its successors and assigns, forever, in as full and ample manner as Grantor is authorized and empowered as Substitute Trustee to convey the same.

In Witness Whereof, Grantor, the Substitute Trustee, of the aforesaid Deed of Trust, has hereunto set its hand and affixed its seal, the day and

year first above-written.

BY:

(SEAL)

David A. Simpson

David A. Simpson, P.C.

Substitute Trustee

President

COUNTY OF MECKLENBURG

STATE OF NORTH CAROLINA

I, Deborah A. Freeman, a Notary Public of Mecklenburg County and State aforesaid certify that David A. Simpson personally came before me this day, and I have personal knowledge of the identity of the principal and acknowledged that he is the President of David A. Simpson, P.C., a North Carolina Corporation and that by authority duly given and as an act of the corporation has voluntarily signed the foregoing instrument in its name and on its behalf as its act and deed as Substitute Trustee.

ITNESS A hand and notarial seal, this day June 9, 2010.

My Commission Expires: <u>June 29, 2013</u> Notary Public <u>Deborah A. Freeman</u>