

2022039035 00092

FORSYTH COUNTY NC FEE \$26.00
GIFT DEED
PRESENTED & RECORDED
08/22/2022 11:57:25 AM
LYNNE JOHNSON
REGISTER OF DEEDS
BY: ANGELA BOOE, DPTY
BK: RE 3713
PG: 3290 - 3301

Order Number: 220450239

This instrument prepared was by Tiffany N. Lawson (Bar Number: 56719), a licensed North Carolina Attorney, 8940 Main Street, Clarence, New York 14031. Any delinquent taxes to be paid by closing attorney/settlement agent upon disbursement of closing proceeds to the county tax collector.

The existence of title insurance is unknown to the preparer. This instrument prepared by Tiffany N. Lawson, a licensed North Carolina attorney, without title examination.

After Recording Mail/Return To:
ServiceLink
11802 Ridge Parkway, Suite 100
Broomfield, CO 80021
Attention: Denver DIL Title

Parcel Number or APN: 6837-12-6919.00

DEED IN LIEU OF FORECLOSURE

Mail Tax Statements To:

**THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY
CONVERSION ASSET TRUST 2010-1**
1 MORTGAGE WAY, MT. LAUREL, NJ 08054.

KNOWN ALL MEN BY THESE PRESENTS, that **PRISCILLA J. GENTRY**, an unmarried person, whose mailing address is **1574 FINWICK DR., PFAFFTOWN, NC 27040**, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1**, whose tax mailing address is **1 MORTGAGE WAY, MT. LAUREL, NJ 08054**, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements,

Property Address: 3912 WADDILL STREET, WINSTON SALEM, NC 27105

submitted electronically by "ServiceLink Loan Modification"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Forsyth County Register of Deeds.

hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Forsyth County, North Carolina**, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

SEE EXHIBIT "B" ATTACHED HERETO AS ESTOPPEL AFFIDAVIT

COMMONLY known as: **3912 WADDILL STREET, WINSTON SALEM, NC 27105**

BEING THE SAME PROPERTY CONVEYED TO THE GRANTOR HEREIN BY THAT DEED RECORDED AT: Book 1040, Page 147.

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed in Lieu of Foreclosure relates to real property secured by the following mortgage(s) or deed(s) of trust:

SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Deed of Trust with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

Representations and Warranties. Grantor represents, warrants, and acknowledges that:

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(a) it is in default of its obligations under the Loan and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1 without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements enforceable in accordance with their terms;

TAX CONSEQUENCES: This transaction may include debt forgiveness. In some cases, debt forgiveness may be taxed as income. Please consult a tax advisor regarding any tax implications you may have due to this transaction.

Advice of Counsel. Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

RIGHT TO FORECLOSE

TRANSFEROR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND TRANSFEREE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, TRANSFEROR AND/OR GUARANTOR MAY, IN TRANSFEREE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, TRANSFEROR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO TRANSFEREE, AND TRANSFEREE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT TRANSFEROR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF TRANSFEREE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT TRANSFEROR'S CREDIT RATING.

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WITNESS the hand of said Grantor this 17th day of August, 2022.

Priscilla J Gentry

PRISCILLA J. GENTRY

STATE OF NC
COUNTY OF Forsyth

The foregoing instrument was acknowledged before me on Aug 17, 2022 by PRISCILLA J. GENTRY who is personally known to me or has produced Driver's License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

Richard T Settle
Notary Public

Richard T Settle
NOTARY PUBLIC
Forsyth County, NC
My Commission Expires August 05, 2027

EXHIBIT "B"
ESTOPPEL AFFIDAVIT

STATE OF NC
COUNTY OF Forsyth

PRISCILLA J. GENTRY, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, conveying the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or

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corporations, other than THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The mortgage(s) or deed(s) of trust referred to herein as described as follows:

SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST

At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

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WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: August 17, 2022

Priscilla J. Gentry
PRISCILLA J. GENTRY

STATE OF NC
COUNTY OF Forsyth

The foregoing instrument was acknowledged before me on Aug 17, 2022 by **PRISCILLA J. GENTRY** who is personally known to me or has produced Driver's License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

Richard T. Settle
Notary Public

Richard T Settle
NOTARY PUBLIC
Forsyth County, NC
My Commission Expires August 05, 2027

Property Address: 3912 WADDILL STREET, WINSTON SALEM, NC 27105

GRANTOR(S) AFFIDAVIT

State of NC }
County of Forsyth }

PRISCILLA J. GENTRY, named in the attached deed, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

That he or she has read the attached deed and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

Priscilla J. Gentry

PRISCILLA J. GENTRY

STATE OF NC
COUNTY OF Forsyth

The foregoing instrument was acknowledged before me on Aug 17, 2022 by **PRISCILLA J. GENTRY** who is personally known to me or has produced Driver's License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

Richard T. Settle
Notary Public

Richard T Settle
NOTARY PUBLIC
Forsyth County, NC
My Commission Expires August 05, 2027

Property Address: 3912 WADDILL STREET, WINSTON SALEM, NC 27105

d. ASSIGNMENT OF RECORD BETWEEN WORLD ALLIANCE FINANCIAL LLC F/K/A WORLD ALLIANCE FINANCIAL CORP. FORMERLY KNOWN AS VERTICAL LEND, INC. AND THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1 AS SET FORTH IN BOOK 3501, PAGE 372, INSTRUMENT NO. 2019052496 00122, DATED 12/20/2019, RECORDED 12/31/2019 IN FORSYTH COUNTY RECORDS.

e. CORRECTIVE ASSIGNMENT OF RECORD BETWEEN WORLD ALLIANCE FINANCIAL LLC F/K/A WORLD ALLIANCE FINANCIAL CORP. FORMERLY KNOWN AS VERTICAL LEND, INC. AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR BANK OF AMERICA, NATIONAL ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, AS SET FORTH IN BOOK 3503, PAGE 1849, INSTRUMENT NO. 2020002264 00089, DATED 01/13/2020, RECORDED 01/16/2020 IN FORSYTH COUNTY RECORDS.

THIS INSTRUMENT IS A CORRECTION OF THAT CERTAIN INSTRUMENT (RECORDING REFERENCE OF INSTRUMENT BEING CORRECTED: BOOK OR FIBER RE 2943 PAGE NUMBER 3350-3351) WHEREIN BY ERROR, MISTAKE OR SCRIVENER'S ERROR, THE SECURITY INSTRUMENT RECORDING REFERENCE WAS TYPED INCORRECTLY AND THIS INSTRUMENT IS MADE TO CORRECT SAID ERROR, MISTAKE, OR SCRIVENER'S ERROR, AND IN ALL OTHER RESPECTS CONFIRMS AND RATIFIES SAID FORMER INSTRUMENT.

f. ASSIGNMENT OF RECORD BETWEEN WORLD ALLIANCE FINANCIAL LLC F/K/A WORLD ALLIANCE FINANCIAL CORP. FORMERLY KNOWN AS VERTICAL LEND, INC. AND THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1 AS SET FORTH IN BOOK 3503, PAGE 1851, INSTRUMENT NO. 2020002265 00090, DATED 01/13/2020, RECORDED 01/16/2020 IN FORSYTH COUNTY RECORDS.

THIS INSTRUMENT IS A CORRECTION OF THAT CERTAIN INSTRUMENT (RECORDING REFERENCE OF INSTRUMENT BEING CORRECTED: BOOK OR LIBER RE 3501 PAGE NUMBER 372-373) WHEREIN BY ERROR, MISTAKE OR SCRIVENER'S ERROR, THE PAGE NUMBER WAS TYPED INCORRECTLY AND THIS INSTRUMENT IS MADE TO CORRECT SAID ERROR, MISTAKE, OR SCRIVENER'S ERROR, AND IN ALL OTHER RESPECTS CONFIRMS AND RATIFIES SAID FORMER INSTRUMENT.

**g. ASSIGNMENT OF RECORD BETWEEN DOCSOLUTION, INC., DOCUMENT PREPARATION VENDOR FOR REVERSE MORTGAGE SOLUTIONS, INC. AND
Property Address: 3912 WADDILL STREET, WINSTON SALEM, NC 27105**

THE BANK OF NEW YORK MELLON AS CO-TRUSTEE FOR MORTGAGE EQUITY CONVERSION ASSET TRUST 2010-1 AS SET FORTH IN BOOK 3508, PAGE 4358, INSTRUMENT NO. 2020007156 00015, DATED 02/20/2020, RECORDED 02/21/2020 IN FORSYTH COUNTY RECORDS.

THIS AFFIDAVIT IS BEING MADE TO CORRECT THE ERRORS, MISTAKES, OR SCRIVENER'S ERRORS REFERENCED BELOW IN THE CHAIN OF ASSIGNMENTS (INSTRUMENT NO. 2010015868 00204; INSTRUMENT NO. 2020002264 00089; INSTRUMENT NO. 2016008201 00044; INSTRUMENT NO. 2019052495 00121; INSTRUMENT NO. 2019052496 00122; INSTRUMENT NO. 2020002265 00090) FOR THAT CERTAIN DEED OF TRUST 11/7/2007, MADE BY WALLACE GENTRY AND WIFE, PRISCILLA J. GENTRY, IN FAVOR OF VERTICAL LEND INC., IN THE AMOUNT OF \$95,250.00, RECORDED 11/16/2007 IN BOOK RE 2796 AT PAGES 954-963 AS INSTRUMENT NO. 2007066298 00181.

APPOINTMENT OF SUCCESSOR TRUSTEE IN BOOK 3643 PAGE 956, INST. 2021052324 00068, RECORDED 09/24/2021, APPOINTS CAPE FEAR TRUSTEE SERVICES, LLC

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Commitment Number: 220450239

This instrument prepared was by Tiffany N. Lawson (Bar Number: 56719), a licensed North Carolina Attorney, 8940 Main Street, Clarence, New York 14031. Any delinquent taxes to be paid by closing attorney/settlement agent upon disbursement of closing proceeds to the county tax collector.

The existence of title insurance is unknown to the preparer. This instrument prepared by Tiffany N. Lawson, a licensed North Carolina attorney, without title examination.

AFFIDAVIT OF TRANSFER TO SURVIVOR/SURVIVORSHIP AFFIDAVIT

STATE OF North Carolina
COUNTY OF Forsyth

PRISCILLA J. GENTRY (“Affiant”), being first duly cautioned and sworn, and having personal knowledge of the facts and being competent to testify as to these matters, deposes and says as follows:

1. WALLACE GENTRY, formerly of Forsyth County, North Carolina, died 03/20/2016 a legal resident of the state of North Carolina.
2. A certified copy of the Death Certificate for WALLACE GENTRY is attached to this Affidavit.
3. The decedent and this Affiant were the grantees in a certain deed dated recorded at Book 1040, Page 147, of the Deed Records of Forsyth County, North Carolina (the “Deed”), with respect to the property legally described as follows:

A TRACT OR PARCEL OF LAND IN THE COUNTY OF FORSYTH AND STATE OF NORTH CAROLINA, AND BOUNDED AS FOLLOWS:

BEING KNOWN AND DESIGNATED AS LOT 31 AS SHOWN ON THE MAP OF THE NADINC AND WADDILL PROPERTY AS RECORDED IN PLAT BOOK 9 AT PAGE 174 IN THE OFFICE OF THE REGISTER OF DEEDS FOR FORSYTH COUNTY, NORTH CAROLINA, TO WHICH MAP FURTHER REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

APN: 6837-12-6919

- 4. In the Deed, the grantees designated are PRISCILLA J. GENTRY, WALLACE GENTRY, for their joint lives, remainder to the survivor of them.
- 5. The address of Affiant is 1574 FINWICK DR., PFAFFTOWN, NC 27040.
- 6. Affiant gives this Affidavit for the purpose of transferring the title to the foregoing property to Affiant on the records of the Recorder's Office in Forsyth County, North Carolina.

Priscilla J. Gentry

PRISCILLA J. GENTRY

Sworn to before me and subscribed in my presence by Priscilla J. Gentry this Aug 17, 2022.

Richard T. Settle

Notary Public

Richard T Settle
 NOTARY PUBLIC
 Forsyth County, NC
 My Commission Expires August 05, 2027