



**2023025858 00137**

FORSYTH CO, NC FEE \$26.00  
STATE OF NC REAL ESTATE EXT  
**\$44.00**

PRESENTED & RECORDED:  
07-31-2023 02:51:07 PM

LYNNE JOHNSON  
REGISTER OF DEEDS  
BY: OLIVIA DOYLE, ASST

**BK: RE 3765**  
**PG: 4451-4453**

Commissioner's Deed

Prepared by & Return to:  
Nodell, Glass & Haskell, LLP  
5540 Centerview Drive Suite 416  
Raleigh, NC 27606

ENVELOPE

NORTH CAROLINA

FORSYTH COUNTY

PIN # 6869-24-1578

Documentary Stamps - \$44.00

THIS DEED, made this 26<sup>th</sup> day of July, 2023, by **Craig S. Haskell, Commissioner of Sale in Forsyth County, North Carolina, Grantor** and party of the first part, to **First Horizon Bank, 6522 Chapman Highway, Knoxville, TN 37920, Grantee** and party of the second part.

WITNESSETH:

THAT WHEREAS, on or about October 6, 2004, Travis H. Simpson executed and delivered a certain Note and subsequently executed a certain Deed of Trust, conveying the lands hereinafter described, **which Deed of Trust is duly registered in the Office of the Register of Deeds of Forsyth County, North Carolina, in Book 2518, Page 1996; and, said Deed of Trust being affirmed and reformed by that Default Judgment recorded at Book 3749, Page 213, Office of the Register of Deeds of Forsyth County, North Carolina; and,**

WHEREAS, there was default in payment of the indebtedness secured by said Note and Deed of Trust and the covenants and provisions therein contained, and after such default had continued for more than thirty days and on account of such default, the holder and owner of said Deed of Trust and Note secured thereby proceeded to judicially foreclose on said Deed of Trust and to sell the real estate therein conveyed and described in accordance with the authority conferred by said deeds of trust and by that Judgment referenced above; and,

WHEREAS, First Horizon Bank, as Plaintiff and current holder of the Note and Deed of Trust, filed an action for Declaratory Judgment, Money Owed, and Judicial Foreclosure on December 8, 2022, in the General Court of Justice, Superior Court Division, Forsyth County, North Carolina, and known as Case Number 22 CVS 5728, and entitled First Horizon Bank versus Travis H. Simpson; and,

WHEREAS, prior to the commencement of the above-referenced proceedings, all parties thereto entitled were served with a copy of a Complaint and Civil Summons in accordance with the law, and were afforded the opportunity to file an Answer or make some other form of appearance to the Court in order to raise any defense or objection to the judgment sought by the Plaintiff. Documentation of the Complaint, evidence of service, and all pertinent pleadings leading to the Order referenced above, appear in file number 22 CVS 5728 in the Office of the Clerk of Superior Court of Forsyth County, North Carolina; and

WHEREAS, upon motion of the Plaintiff, an Order was granted in favor of the Plaintiff and entered on March 7, 2023, affirming and reforming the underlying Deed of Trust authorizing foreclosure, declaring that all proceeds from foreclosure sale be applied in payment of the amount due under the Note and Deed of Trust and authorizing public sale of the real property described herein; and

WHEREAS, pursuant to said Order authorizing public sale of real property, Craig S. Haskell was appointed Commissioner to conduct a public sale of the subject property; and

WHEREAS, upon application and request of the holder and owner of said Note and Deed of Trust and under and by virtue of the authority conferred by said Order, and in accordance with the terms and provisions of the same, and after due advertisement as stated in said Note and Deed of Trust and by law provided, to wit, once a week for two successive weeks immediately, preceding said sale, in The Kernersville News, a newspaper published in Forsyth County, North Carolina, the date of the last publication occurring within ten (10) days immediately preceding the originally scheduled sale, said sale postponed on such date when the said Craig S. Haskell, Commissioner, or his appointed agent, did on **June 14, 2023** at 1:00 p.m. on the steps of the Forsyth County Courthouse, in Winston Salem, North Carolina, expose to public sale the real estate hereinafter described, at which time and place said real estate was bid on by **First Horizon Bank** in the amount of **\$21,390.11**; and,

WHEREAS, on June 14, 2023, report of said sale was duly filed in the Office of the Clerk of Superior Court of Forsyth County as shown in Civil Superior File Number 22 CVS 5728; and,

WHEREAS, said bid remained open for ten days from the date of the filing of said upset bid as required by law, and said bid was not raised and no objection was made to said sale; and,

WHEREAS, said purchaser has complied with the terms of said sale and said purchase price has been paid; and,

WHEREAS, an Order Confirming Public Sale of Real Property was entered on July 17, 2023; said Order authorized Craig S. Haskell, Commissioner, to execute and deliver a Deed for the subject property to **First Horizon Bank**; and

NOW, THEREFORE, in consideration of the premises and the sum of \$21,390.11, paid to the party of the first part by the party of the second part, the receipt of which is hereby acknowledged, and under and by virtue and in execution of the power and authority by said Note and Deed of Trust conferred, and by said Order, the said Craig S. Haskell, Commissioner as aforesaid, does hereby bargain, sell and convey unto the said **First Horizon Bank**, their successors and assigns, that certain tract or parcel of land lying and known as **6012 Cain Forest Drive, Walkertown, North Carolina**, and more particularly described as follows:


BEING all of Lot #170 of a survey entitled R. Don Cain, Phase 6, Sheet I, as shown on plat recorded at Plat Book 36, Page 181, Forsyth County Registry, reference to which is hereby made for a more complete description.

This lot is a part of a revision of Lot 72 through 78, Block 5167C, and also a revision of Lots 72 through 78 of the R. Don Cain, Phase 2, recorded in Plat Book 32, Page 160, Forsyth County Registry.

Now known as Tax Block 5167C, Lot #170  
Property Address: 6012 Cain Forest Drive, Walkertown, NC

TO HAVE AND TO HOLD said lands and premises, all privileges and appurtenances thereto belonging unto said party of the second part, its successors and assigns, forever in as full and ample a manner as the said Craig S. Haskell, Commissioner, as aforesaid is authorized and empowered to convey the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

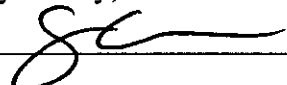
  
\_\_\_\_\_[SEAL]  
CRAIG S. HASKELL, Commissioner

North Carolina  
Wake County

I, Emily Oden, a Notary Public for said County and State, do hereby certify that Craig S. Haskell, Commissioner, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 26<sup>th</sup> day of July, 2023.

EMILY M. ODEN  
NOTARY PUBLIC  
Wake County  
North Carolina  
My Commission Expires April 20, 2027

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:  
4/20/27