

✓ Drawn by: C. Edwin Allman

Mail to Mrs. Hazel G. Zenker, 2428 Walker Avenue, Winston-Salem, N. C. 27103

(Name)

(St. & No. or R.F.D.)

(City)

(State)

STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

56

DEED OF TRUST

This Indenture, made this 18th day of March, 1980, by and between

JOAN MARTIN O'TOOLE (Widow)

part Y of the first part, and C. EDWIN ALLMAN, III, Trustee, party of the second part,  
and HAZEL G. ZENKER part Y of the third part;

WITNESSETH, Whereas, the said part Y of the first part being indebted to said part Y of the third part  
in the principal sum of Ten Thousand and No/100 (\$10,000.00) - Dollars for money borrowed

as evidenced by note(s) of even date herewith, as follows:  
Promissory note in face amount of Ten Thousand Dollars (\$10,000.00), being due  
on March 1, 1981, with interest at the rate of fourteen percent (14%) per annum,  
being paid monthly, and with full right of prepayment of principal and interest,  
the payment whereof the said part Y of the first part desire(s) to secure.

NOW, THEREFORE, in consideration of the premises, and in further consideration of one dollar to each in hand paid, the receipt whereof is hereby  
acknowledged, the said part Y of the first part has granted, bargained and sold and by these presents do as grant, bargain, sell and convey unto  
the said C. Edwin Allman, III Trustee, his successors, or assigns, that certain piece, parcel, lot or tracts of land lying in Forsyth County, and  
more particularly described as follows:

Being known and designated as Lot No. 2 on the Map of Mrs. F. O.  
and W. H. Watkins, Plat Book 11, at page 11, in the Office of the  
Register of Deeds of Forsyth County, North Carolina, reference to  
which is made for a more particular description.

TO HAVE AND TO HOLD The said premises, together with all the privileges and appurtenances thereto belonging, incident or appertaining thereto, unto the  
said C. Edwin Allman, III, Trustee, his successors and assigns, in trust for the uses and purposes hereinafter limited, described  
and declared. And the said part Y of the first part covenant(s) with the said Trustee that she is seized of said premises in fee, and as  
the right to convey the same in fee simple; that the same are free from all encumbrances, and that she will warrant and defend the title to the same against the  
claims of any and all persons whomsoever.

PROVIDED, Nevertheless, and on this EXPRESS CONDITION, that if the said part Y of the first part shall fail or neglect to pay the interest on the  
aforesaid note(s) as the said interest becomes due and payable, or if she shall fail or neglect to pay the principal and interest due on any said note(s) at the  
maturity of any of them, or if any part of said note(s) shall remain due and unpaid, then it shall be the duty of the said C. Edwin Allman,  
III, Trustee, his successors or assigns, at the request of the said part Y of the third part, or her assigns, to sell said land  
at public auction to the highest bidder for cash at the courthouse door in Winston-Salem, Forsyth County, N.C., after giving all notices of hearing and sale for the  
time and in the manner prescribed by applicable law, and thereafter shall make and deliver to the purchaser thereof a deed therefor, and the said Trustee, after  
deducting 5% commission for making said sale, and after applying all expenses necessarily incurred in properly executing the trust herein declared, shall apply the  
proceeds of said sale to the discharge and payment of the aforesaid note and interest, then pay the surplus, if any, to the parties entitled to same according to law.

It is stipulated and agreed that in case the said part Y of the first part shall pay off said note(s) and interest and shall discharge fully the trusts herein declared  
before such sale then the aforesaid premises shall be reconveyed to the said part Y of the first part or the title hereto be revested according to the provisions  
of law. And the said part Y of the first part covenant s and agree s that she will keep all taxes which may be assessed against said premises  
promptly paid off, and that they will keep the buildings on premises insured against loss or damage by fire, for the benefit of the said part Y of the third part,  
loss, if any, to be made payable in the policy or policies of insurance to said Trustee, as his interest may appear; and in case the said taxes or the premiums  
for said insurance should at any time be paid by the said part Y of the third part, or assigns, then the amounts so expended shall become debts due, shall bear  
interest at the rate of six per cent per annum, and their payment will be secured by this deed of trust.

The irrevocable power to appoint a substitute trustee or trustees is hereby expressly granted to the party of the third part, its successors or assigns, to be exercised  
at any time hereafter, without notice and without specifying any reason therefor, by filing for record in the office where this instrument is recorded an instrument of  
appointment. The part Y of the first part, for themselves, their heirs, executors, administrators, successors and assigns, and the party of the second part herein  
named, or that may be substituted hereunder, expressly waive notice of the exercise of this power, and any necessity for making oath or giving bond by any trustee,  
as well as any requirement for application to any court for the removal, appointment or substitution of any trustee hereunder; and the part Y of the third part,  
its successors or assigns, may elect to appoint a substitute trustee in accordance with the laws of North Carolina.

IN TESTIMONY WHEREOF, the said Joan Martin O'Toole, party of the first part,  
has hereunto set her hand and seal the day and year first above written.

(SEAL)  
(SEAL)

Joan Martin O'Toole (SEAL)  
JOAN MARTIN O'TOOLE (Widow) (SEAL)

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STATE OF NORTH CAROLINA—Forsyth County

I, Henry N. Howell, a Notary Public of DAVE Forsyth County, North Carolina, do certify that JOAN MARTIN O'TOOLE (Widow) ~~and her wife~~, ~~each~~ personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Trust.

Witness my hand and official seal, this 18th day of March, 1980.



OFFICIAL SEAL  
Notary Public, North Carolina  
County of Davis  
HENRY N. HOWELL  
My Commission Expires July 6, 1981

Henry N. Howell Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NORTH CAROLINA—Forsyth County

I, \_\_\_\_\_, a Notary Public of Forsyth County, North Carolina, do certify that \_\_\_\_\_ and his wife, \_\_\_\_\_

each personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Trust.

Witness my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.



\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NORTH CAROLINA—Forsyth County

This \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_, personally came before me, \_\_\_\_\_

\_\_\_\_\_, a notary public, \_\_\_\_\_ (Name of Secretary or Assistant Secretary) who, being by me

duly sworn, says that he knows the Common Seal of \_\_\_\_\_ (Name of Corporation)

and is acquainted with \_\_\_\_\_ who is the \_\_\_\_\_ President of said Corporation,

and that he, the said \_\_\_\_\_, is the \_\_\_\_\_ Secretary of said Corporation,

and saw the said \_\_\_\_\_ President sign the foregoing instrument, and saw the said Common Seal of said Corporation affixed to said instrument by said \_\_\_\_\_ President, and that he, the said \_\_\_\_\_

\_\_\_\_\_, signed his name in attestation of the execution of said instrument in the presence of said \_\_\_\_\_ President of said Corporation.



Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of Henry N. Howell N.P. Davis (here give name and official title of the officer signing the certificate, passed upon) Co, N.C.

is (and) certified to be correct. This the 21 day of March A.D. 19 80.

Probate fee \$100 paid.  
Filing fee \$9.00 paid.

Eunice Ayers, Register of Deeds  
By Jessie G. Elder Deputy Assistant

Drawn By \_\_\_\_\_



HAZEL G. ZENKER  
FOR  
C. EDWIN ALLMAN, III.  
TRUSTEE  
TO  
JOAN MARTIN O'TOOLE (WIDOW)  
FROM

DEED OF TRUST

PRESENTED FOR  
REGISTRATION  
AND RECORDED  
MAR 21 3 01 PM '80  
EUNICE AYERS  
REGISTER OF DEEDS  
FORSYTH CO., N.C.

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