

DRAFTED by: Gary J. Walker 221 98

Mail to: Gary WALKER (NAME) 2330 N. LIBERTY ST. (St. & No. or R.F.D.) WINSTON-SALEM (City) N.C. 27105 (State)

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

CORPORATION
DEED OF TRUST

This Indenture, made this 13th day of February, 1989, by and between

R. & J. Messick, Inc., a Corporation of Forsyth County, North Carolina, party of the first part, and Gary J. Walker Trustee, party of the second part, and Joe E. Walker and wife Wanda H. Walker parties of the third part;

WITNESSETH, Whereas, the said party of the first part being indebted to said parties of the third part in the principal sum of Three Thousand and no/100 Dollars for

Money Loaned as evidenced by note(s) of even date herewith, as follows:

Monthly payments of principal and interest in the sum of \$35.55 beginning February 1, 1989. All principal and accumulated interest due 1-1-1991 the payment whereof the said party of the first part desires 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 party of the first part has granted, bargained and sold and by these presents does grant, bargain, sell and convey unto the said Gary J. Walker Trustee, his successors, or assigns, that certain piece, parcel, lot or tracts of land lying in Forsyth County, and more particularly described as follows:

Lying and being in Middlefork Township No 2, Forsyth County, N.C. and being known and designated as Lot No 147, and 148 as shown on the map of Masten Park as recorded in Plat Book 2, page 19(3) in the Office of the Register of Deeds of Forsyth County, North Carolina, to which map reference is hereby made for a more particular description of said property, This is the same property described in deed recorded in Book 600, page 215.

Being the same property conveyed to J. A. Koonts and wife, Annie S. Koonts from Harold K. Bostian and wife, Annie Mae Bostian by deed dated June 8, 1961, filed for registration on June 9, 1961 of record in Deed Book 826, page 434 Register's Office for said county. The said J.A. Koonts died on March 23, 1968 & resident of Davidson County, Tennessee. Property Address: 628 Glenbrook Dr, Winston-Salem, NC

TO HAVE AND TO HOLD The said premises, together with all the privileges and appurtenances thereto belonging, incident or appertaining thereto, unto the said Gary J. Walker Trustee, his successors and assigns, in trust for the uses and purposes hereinafter limited, described and declared. And the said party of the first part covenants with the said Trustee that it is seized of said premises in fee, and has the right to convey the same in fee simple; that the same are free from all encumbrances, and that it 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 party 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 it shall fail or neglect to pay the principal and interest due on any of 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 Gary J. Walker Trustee, successors or assigns, at the request of the said party of the third part, or his 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.

BOOK 1660-3830

