2010042695 00043
FORSYTH CO, NC FEE $22.00
STATE OF NC REAL ESTATE EXTX
$60.00
PRESENTED & RECORDED:
11-03-2010 11:21:50 AM
C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: PATSY RUTH DAVIS
DPTY
BK: RE 2973
PG: 847-848

Drawn by and return to: Kelly M. Otis
Hendrick Bryant & Nerhood, LLP
723 Coliseum Drive, Suite 101
Winston-Salem, NC 27106

Box 78

Excise Tax: $60.00

NORTH CAROLINA:

SUBSTITUTE TRUSTEE'S DEED

FORSYTH COUNTY:

THIS SUBSTITUTE TRUSTEE'S DEED, made this the 28th day of October, 2010, by KELLY M. OTIS, Substitute Trustee, 723 Coliseum Drive, Suite 101, Winston-Salem, North Carolina 27106, to BANK OF THE CAROLINAS, a North Carolina corporation, P.O. Box 347, Advance, NC 27006.

WITNESSETH:

WHEREAS, Stephen A. Hairston and Iona B. Hairston made and executed to Robert Marziano, Trustee, a Deed of Trust dated August 8, 2002, recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, in Book 2271, at Page 2652 upon the lands hereinafter described; and

WHEREAS, KELLY M. OTIS was duly appointed Substitute Trustee by instrument recorded in the Office of the Register of Deeds of Forsyth County, North Carolina in Book 2947 at Page 387, Forsyth County Registry; and

WHEREAS, in Special Proceeding Number 10 SP 1267, under and by virtue of the authority conferred by the said Deed of Trust, and in accordance with the terms and stipulations of the same, and after due advertisement in Deed of Trust prescribed and by law provided, the said KELLY M. OTIS did, on the 29th day of September, 2010 at the place designated for foreclosure sales, in Forsyth County, North Carolina, expose to public sale the lands hereinafter described, where and when BANK OF THE CAROLINAS, a corporation organized and existing under the law of the State of North Carolina, became the last and highest bidder for the sum of Thirty Thousand and 00/100 Dollars ($30,000.00); and

WHEREAS, said sale was duly reported to the Office of the Clerk of Superior Court, Forsyth County, North Carolina and no upset bid has been filed within the time allowed therefore by law;

NOW, THEREFORE, for and in consideration of the premises and the sum of Thirty Thousand and 00/100 Dollars ($30,000.00), in hand paid to the said KELLY M. OTIS, Substitute Trustee, by the said BANK OF THE CAROLINAS, the receipt whereof is hereby acknowledged, and under and by virtue of the power and authority by said Deed of Trust conferred, the said KELLY M. OTIS, Substitute Trustee, does by these presents hereby sell and convey unto the said BANK OF THE CAROLINAS, and its successors and assigns forever, the following lots or parcels of land lying in the County of Forsyth, and State of North Carolina, and more particularly described as follows:

BEING KNOWN AND DESIGNATED as Lot 5 as shown on the Map of A.L. Hoover Estate as recorded in Plat Book 13, Page 113, 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.

Also being known and designated as Block 1893, Lot 005R, Forsyth County Tax Maps.

SUBJECT, HOWEVER, to all *ad valorem* taxes, special assessments, easements, rights-of-way and restrictions of record, if any, and prior liens or encumbrances of record against said property and any recorded leases.

TO HAVE AND TO HOLD the aforesaid parcel or lot of land to the said BANK OF THE CAROLINAS and its successors and assigns, to their use and behoof forever;

And the said KELLY M. OTIS, Substitue Trustee, covenants that she is seized of said premises and has right to convey the same, and that she will warrant and defend the title to the same insofar as it is her duty to do so by virtue of her said office as Substitute Trustee and no further.

The property described herein is being conveyed "AS IS, WHERE IS." Except as expressly set forth above, neither the Substitute Trustee nor the beneficiary of the Deed of Trust foreclosed, nor the officers, directors, attorneys, employees, agents or authorized representatives of either the Substitute Trustee or the beneficiary of the Deed of Trust foreclosed make any representation or warranty relating to the title or any physical, environmental, health or safety conditions existing in, on, at or relating to the property conveyed, and any and all responsibilities or liabilities arising out of or in any way relating to any such condition expressly are disclaimed.

IN TESTIMONY WHEREOF, the said KELLY M. OTIS, Substitute Trustee, has hereunto set her hand and seal.

KELLY M. OTIS, Substitute Trustee

NORTH CAROLINA :
FORSYTH COUNTY:

I, Lekisa M. Simpson, a Notary Public of Guilford County and the State of North Carolina, certify that KELLY M. OTIS personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

WITNESS my hand and Notarial Seal, this the 28th day of October, 2010.

My Commission Expires:
1-31-2015

Lekisa M. Simpson
Notary Public

LEKISA M. SIMPSON
Notary Public - North Carolina
Guilford County
My Commission Expires January 31, 2015