2010046600 00215
FORSYTH CO, NC FEE $34.00
STATE OF NC REAL ESTATE EXTX
$3000.00
PRESENTED & RECORDED:
11-30-2010 04:18:13 PM
C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: S. GRIFFITH
ASST

BK: RE 2977
PG: 3327-3332

Prepared by: Smith Moore Leatherwood LLP, PO Box 27525, Raleigh, NC 27611(ERS)
Mail after recording: Grantee Box 78
Brief Description:
Excise Tax: $$3,000.00
Tax Lot Nos.:

SUBSTITUTE TRUSTEE'S DEED

THIS DEED is made this 19 day of November, 2010, by and between **Kelly Otis**, Substitute Trustee to Southland Associates, Inc., in that Deed of Trust hereinafter mentioned (the "**Grantor**"), and **TF PROPERTIES, INC. A TENNESSEE CORPORATION** (the "**Grantee**"), having an address of c/o Wayne Merrill, Controller and V.P. Accounting, Tennessee Farmers Insurance Companies, P.O. Box 998, Columbia, TN 38402-0998.

WITNESSETH:

WHEREAS, **Tetra Investment Group Sixteen, LLC, a Virginia limited liability company** ("**Borrower**") executed and delivered a Deed of Trust dated May 10, 2007 to Southland Associates, Inc., as Trustee for SunTrust Bank, a Georgia banking corporation ("SunTrust") duly recorded in Book 2752, Page 1520, Forsyth County Registry (the "Deed of Trust"); and

WHEREAS, Borrower has failed to repay the indebtedness and other obligations secured by the Deed of Trust and SunTrust has made demand upon the Borrower and all Guarantors for the full payment of the indebtedness and other obligations and Borrower has failed to pay in accordance therewith; and

WHEREAS, SunTrust has instructed Grantor, having been substituted as trustee by Substitution of Trustee recorded in Book 2958, Page 3170, Forsyth County Registry (the "**Substitution of Trustee**"), to foreclose on the Deed of Trust and the property described therein in accordance with the terms of the Deed of Trust; and

WHEREAS, Grantor, under and by virtue of the power and authority vested in her by the Deed of Trust and the Substitution of Trustee, has complied with the terms of the Deed of Trust and instituted foreclosure proceedings in accordance therewith by filing Special Proceeding No. 10-SP-1958 before the Clerk of Superior Court of Forsyth County, North Carolina (the "Foreclosure"); and

WHEREAS, Grantor, after providing due and timely notice to all required parties, appeared at a proper hearing before the Asst. Clerk of Superior Court of Forsyth County on October 6, 2010 and said Asst. Clerk entered an order authorizing Grantor to proceed with the sale of the real property described hereinafter; and

WHEREAS, Grantor, after advertising and providing further notice to the required parties in accordance with the North Carolina General Statutes, did expose the property described and conveyed herein, subject to any and all superior liens, including without limitation, the lien of any and all unpaid taxes and assessments, easements, conditions, restrictions and other matters of public record, for sale at public auction at the Forsyth County Courthouse in Winston-Salem, North Carolina at the usual place of sale where sales of real property are held, on November 3, 2010 at 11:00 a.m., when and where SunTrust was the last and highest bidder for said property at the price of $1,500,000.00 (the "Credit Bid"); and

WHEREAS, Grantor duly reported the property sale to the Clerk of Superior Court of Forsyth County, North Carolina as required by law, and thereafter said sale remained open for ten days, and no increased bid has been filed within the time allowed by law; and

WHERAS, SunTrust has assigned its right, title and interest in the Credit Bid to Grantee, who accepted the assignment and assumed all of SunTrust's duties, obligations and liabilities thereunder by that certain Assignment and Assumption of Foreclosure Bid entered into the 15th day of November, 2010, and duly filed with the Clerk of Superior Court of Forsyth County in the Foreclosure file.

NOW, THEREFORE, for valuable consideration of the payment of the purchase price bid at the sale paid by Grantee, the receipt of which is hereby acknowledged, and pursuant to the authority vested in the Grantor by the terms of the Deed of Trust, Grantor does hereby bargain, sell, grant and convey unto Grantee in fee simple, all that certain property located in the State of North Carolina, County of Forsyth, being more particularly described as follows (the "**Property**"):

See Exhibit "A" attached hereto and incorporated herein by reference.

SUBJECT TO any and all prior liens, unpaid taxes, special assessments, restrictions, easements of record and other encumbrances, if any.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple, as Grantor is authorized and empowered to convey. The Grantor makes no warranty, express or implied, as to title to the Property hereinabove described.

The recitals hereto are incorporated by this reference as if set forth fully herein. The designation "Grantor" and "Grantee" as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter, as required by the context.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in his individual name under seal the day and year first above written.

Kelly Otis, Substitute Trustee

RALEIGH 406561.1

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

I certify that the following person personally appeared before me this day, acknowledging to me that she signed the foregoing document: Kelly Otis, Substitute Trustee.

Date: 11/19/2010

Lekisa M. Simpson
[signature of notary]

Lekisa M. Simpson, Notary Public
[printed name of notary]

My commission expires: JANUARY 31, 2015

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

[Affix Notary Seal in Space Above]

Exhibit A
Legal Description

PARCEL 1 – Tax Lot No. 3889 034L

BEGINNING at a stone at the southwestern corner of that property conveyed to Harold W. and Brenda Whitaker in Deed Book 748, Page 397, Forsyth County Registry, and running thence from said point and place of beginning, South 81° 03' 47" East 502.43 feet to a new iron pin, the southeastern corner of that property conveyed to Robert F. and Juanita Disher as recorded in Book 1503, Page 970, Forsyth County Registry; thence North 06° 39' 31" East 116.15 feet to an existing iron pin, the southwestern corner of that property conveyed to Arnold V. Marshall as recorded in Deed Book 1704, page 3069, Forsyth County Registry; thence South 82° 46' 05" East 817.48 feet to an existing iron pin, the southeastern corner of that property conveyed to Amsco, Inc., as recorded in Deed Book 1713, Page 2903, Forsyth County Registry; thence North 01 ° 54' 51" East 134.46 feet to a point; thence North 88° 05' 09" West 354.00 feet to a point; thence South 71° 08' 52" East 53.80 feet to a point; thence South 44° 32' 31" East 110.81 feet to a point, thence South 58° 51' 56" East 359.45 feet to a point in the northern right-of-way line of the access easement described below; thence with the northern right-of-way line said access easement on a curve to the left having a radius of 560.00 feet and a length of 568.00 feet, a chord, course and distance of South 47° 18' 55" West 543.96 feet to a point; thence on a curve to the right having a radius of 40.00 feet and a length of 44.30 feet, a chord, course and distance of South 49° 58' 58" West 42.07 feet to a point; thence on a curve to the left having a radius of 62.00 feet and a length of 114.91 feet, a chord, course and distance of South 28° 36' 38" West 99.16 feet to a point; thence continuing on said curve to the left having a radius of 62.00 feet and a length of 91.46 feet, a chord, course and distance of South 66° 44' 52" East 83.39 feet to a point; thence leaving the right-of-way line of the access easement, South 19° 00' 35" East 133.02 feet to a point; thence South 32° 56' 13" East 463.05 feet to an existing iron pin; thence South 15° 58' 19" East 536.68 feet to a new iron pin near the bank of Salem Creek; thence South 44°38' 03" West 116.47 feet to a new iron pin; thence South 56° 38' 21" West 203.36 feet to a new iron pin; thence South 68° 47' 18" West 169.88 feet to a new iron pin; thence South 51° 57" 19" West 284.67 feet to a new iron pin; thence South 70° 12" 15" West 91.71 feet to a new iron pin; thence South 55° 22' 46" West 172.04 feet to a new iron pin; thence South 57° 50' 04" West 261.73 feet to a new iron pin; thence South 63° 26' 22" West 110.22 feet to a rebar in the eastern line of the Sides Property as recorded in Book 1556, Page 771, Forsyth County Registry; thence North 00° 49' 36" East 542.67 feet to a rebar in the corner of the Sides Property described above; thence North 87° 57'57" West 231.05 feet to an existing iron pin, another corner of the Sides Property; thence North 01° 18' 27" East 929.54 feet to a rebar in another corner of the Sides Property; thence South 86° 45' 17" West 800.86 feet to an existing iron pin; thence North 01° 35' 27" East 1086.08 feet to the point and place of BEGINNING, containing 77.071 acres, more or less, as shown on a survey by DS Atlantic entitled "Acquis, Inc. Subdivision" dated July 1, 1996.

TOGETHER WITH and subject to the rights of others in and to a 60-foot access easement, and being more particularly described as follows:

BEGINNING at a point in the southern right-of-way line of Clemmonsville Road (State Road 1120), said point being located South 81° 28' 17" East 1789.27 feet from the northeast corner of that property conveyed to Amsco, Inc. in Deed Book 1713, page 2903, Forsyth County Registry, said point also being located North 81° 28' 17" West

60.00 feet from the northwestern corner of the Ralph M. and Nancy D. Hoover property (Tax Block 3889, Tax Lot 35U), running thence from said point and place of beginning, South 08° 34' 10" West 99.69 feet to a point; thence on a curve to the right having a radius of 380.00 feet and a length of 519.38 feet, a chord, course and distance of South 47° 42' 44" West 479.88 feet to a point; thence on a curve to the left having a radius of 560.00 feet and a length of 102.58 feet, a chord, course and distance of South 81° 37' 12" West 102.44 feet to a point; thence on a curve to the left having a radius of 560.00 feet and a length of 568.00 feet, a chord, course and distance of South 47° 18' 55" West 543.96 feet to a point; thence on a curve to the right having a radius of 40.00 feet and a length of 44.30 feet, a chord, course and distance of South 49° 58' 58" West 42.07 feet to a point; thence on a curve to the left having a radius of 62.00 feet and a length of 114.91 feet, a chord, course and distance of South 28° 36' 38" West 99.16 feet to a point; thence continuing on said curve to the left having a radius of 62.00 feet and a length of 91.46 feet, a chord and distance of South 66° 44' 52" East 83.39 feet to a point; thence continuing on a curve to the left having a radius of 62.00 feet and a length of 63.31 feet, a chord, course and distance of North 41° 44' 14" East 60.59 feet to a point; thence on a curve to the right having a radius of 500.00 feet and a length 684.15 feet, a chord, course and distance of North 47° 40' 08" East 632.02 feet to a point; thence on a curve to the left having a radius of 440.00 feet and a length of 262.85 feet, a chord, course and distance of North 69° 45' 15" East 258.96 feet to a point; thence on a curve to the left having a radius of 440.00 feet and a length of 338.54 feet, a chord, course and distance of North 30° 35' 55" east 330.25 feet to a point; thence North 08° 34' 10" West 99.69 feet to a point in the southern right-of-way line of Clemmonsville Road; thence with the southern right-of-way line of Clemmonsville Road, North 81° 28' 17" West 60.00 feet to the point and place of beginning, containing 2.118 acres, more or less, as shown on a survey by DS Atlantic entitled "Acquis Subdivision" dated July 1, 1996.

PARCEL 2 – Tax Lot No. 3889 034H

BEGINNING at an iron stake in the south right-of-way line of West Clemmonsville Road (formerly Waughtown-Clemmons Road) at the northeast corner of the Albert Sides Estate (now or formerly); thence running South 9° 51' West 480 feet to an iron stake in the aforesaid Albert Sides Estate line, a corner of Joel H. Bowman (now or formerly); thence South 80° East 439.5 feet to an iron stake, another corner of the said Joel H. Bowman; thence North 8° 30' East 472.2 feet to an iron stake 30 feet south of the center line of the West Clemmonsville Road; thence running with said south right-of-way line North 79° West 420.6 feet to the BEGINNING. Containing 4.6 acres, more or less. This is the same property as that described in Deed Book 980 at page 644 of the Forsyth County Registry; also see Book 1316, at page 1402.

SAVE AND EXCEPT from the above described tract: BEGINNING at an iron stake on the South right-of-way line of West Clemmonsville Road (formerly Waughtown-Clemmons Road) at the Northwest corner of property described in Deed Book 1164 at page 602, Forsyth County Registry (Tax Block 34-E); thence running South 9° 06' 35" West 121.14 feet to an iron stake; thence North 82° 43' 50" West 268.56 feet to an iron stake; thence North 11° 36' 50" East 140.47 feet to an iron stake; thence running with the said South right-of-way line of West Clemmonsville Road, South 78° 35' East 262.50 feet to an iron stake, the point and place of BEGINNING. Containing 0.73 acres, more or less, according to a survey made October 6, 1983, by Daniel W. Donathan, Registered Land Surveyor, of United, Ltd. For further reference see Book 1415, page 1325, Forsyth County Registry.

SAVE AND EXCEPT the following properties previously conveyed by Borrower by Deeds duly recorded in the Forsyth County Registry: All of the property described in Deeds recorded in Book 2800, Page 3706, Book 2847, Page 1451, and Book 2938, Page 4311, Forsyth County Registry, the legal descriptions of which are incorporated herein by reference.