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FORSYTH CO, NC FEE \$0.00

PRESENTED &amp; RECORDED:

10-08-2019 02:09:52 PM

LYNNE JOHNSON

REGISTER OF DEEDS  
BY: EVELYN R. DIXON

DPTV

BK: RE 3486

PG: 1601-1603

Prepared by & Return To: Hendrick Bryant Ba 78

## AFFIDAVIT OF SATISFACTION

Date of Affidavit: October 7, 2019

The undersigned hereby states as follows:

1. I am an attorney licensed to practice law in the State of North Carolina.
2. I am signing this Affidavit of Satisfaction to evidence full payment or performance of the obligations secured by real property covered by the following security instrument (the "security instrument") which I believe is currently or was most recently held by Ruth Julian (the "secured creditor"):

Type of security instrument: Deed of TrustOriginal Grantors: Howard Hawks and Oziah HawksOriginal Secured Party: Ira Julian and Ruth R. JulianRecording data for security instrument: Security Instrument recorded in Book 1664 Page 1543 in the office of the Register of Deeds for Forsyth County, North Carolina.

3. I have reasonable grounds to believe that the secured creditor has received full payment or performance of the balance of the obligations secured by the security instrument.

4. ☐ Acting with authorization from the owner of the real property described in the Security Instrument, I gave notification to the Secured Creditor in the manner prescribed by G.S. 45-36.14 of my intention to sign and record an affidavit of satisfaction of the Security Instrument if, within 30 days after the effective date of the notification, the Secured Creditor did not submit a satisfaction of the security interest for recording or give notification that the secured obligation remains unsatisfied. The 30-day period has elapsed, I have no knowledge that the Secured Creditor has submitted a satisfaction for recording, and I have not received notification that the secured obligation remains unsatisfied. [SEP]

☐ I have been authorized by the Secured Creditor to execute and record this Affidavit of Satisfaction.

[SEP]

☐ I have in my possession the original Security Instrument and the original bond, note, or other instrument secured thereby, with an endorsement of payment and satisfaction appearing thereon made by one or more of the following: (i) the Secured Creditor; (ii) the trustee or substitute trustee, if the Security Instrument is a deed of trust; (iii) an assignee of the Secured Creditor; or (iv) a bank, savings and loan association, savings bank, or credit union chartered under the laws of North Carolina or any other state or the United States having an office or branch in North Carolina, endorsed in the name of the institution by an officer thereof. [SEP]

☐ I have in my possession the original Security Instrument together with the original bond, note, or other instrument secured thereby, or the original Security Instrument alone if the Security Instrument itself sets forth the obligation secured or other obligation to be performed and does not call for or recite any note, bond, or other instrument secured by it. All such instruments are more than 10 years old counting from the maturity date of the last obligation secured. If the instrument or instruments secured by the Security Instrument have an endorsement of partial payment, satisfaction, performance or discharge within the period of 10 years, the period of 10 years has been counted from the date of the most recent endorsement. [SEP]

☐ I have in my possession the original Security Instrument given to secure the bearer or holder of any negotiable instruments transferable solely by delivery, together with all the evidences of indebtedness secured thereby, marked paid and satisfied in full and signed by the bearer or holder thereof. <sup>SEP</sup>

☒ After diligent inquiry, I have been unable to determine the identity of the secured creditor.

5. (If applicable) Attached to and filed with this Affidavit of Satisfaction are copies of all or part(s) of the following instruments: (Describe attached copies): The affidavit from Paul Sinal, trustee for Ira and Ruth Julian, attests to no knowledge of further debt and to the death of the secured parties.

This Affidavit of Satisfaction constitutes a satisfaction of the Security Instrument pursuant to G.S. 45-36.18.

  
(Signature of Satisfaction Agent)

State of North Carolina - County of Forsyth

I, Andrea M Greene a Notary Public of the County and State aforesaid, certify that Kenneth C. Otis, III personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 8 day of October, 2019

Place Notary Seal in This Box

ANDREA M. GREENE  
Notary Public - North Carolina  
Forsyth County  
My Commission Expires 12.10.23

My Commission Expires: 12.10.23

Notary Public Andrea M Greene

Exhibit A

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

FORSYTH COUNTY

16 CVS 2682

HOWARD L. HAWKS and wife, )  
 OZIAH HAWKS ET AL )  
                                 Plaintiffs, )  
 v. )  
                                 ) )  
 NORTH CAROLINA DEPARTMENT )  
 OF TRANSPORTATION )  
                                 ) )  
                                 Defendant. )  
                                 )

AFFIDAVIT

The undersigned, being first duly sworn, deposes to the following:

1. I am over the age of eighteen years, under no disability and competent to testify to the following.
2. I was the trustee in a real estate transaction in 1989 between Ira and Ruth Julian and Howard and Oziah Hawks.
3. The transaction was for real property at 4029 Brownsboro Road. The transaction was recorded April 5, 1989, in Book 1664, page 1543.
4. In my position of trustee, I was not involved in the payments arranged from Howard and Oziah Hawks to Ira and Ruth Julian. Mr. Julian died in 1990, and the Deed of Trust was assigned to Ruth Julian, his surviving spouse, in 1991. Mrs. Julian died in 2004.
5. I was never contacted about a default on the loan or a need to enter foreclosure proceedings.

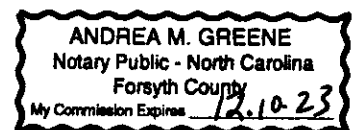
Further the affiant sayeth not.

This the 7<sup>th</sup> day of October 2019.

Paul A. Sinal  
 Paul A. Sinal

Sworn to and subscribed before me  
 This the 7<sup>th</sup> day of October 2019.

Andrea M. Greene  
 [Notary Public]



12.10.23  
 [my commission expires]