

Drawn By: Esther J. Atkins, Secretary 4 Mails:

DEED OF TRUST

ALLIED BUILDING CREDITS
A DIVISION OF ALLIED CONCORD
FINANCIAL CORPORATION (DELAWARE)
P. O. Box 3125
Charlotte, North Carolina 28203

NORTH CAROLINA, Forsyth COUNTY

THIS INDENTURE, Entered into this 28 day of June, 1965 by and between

Tom C. Gabard and wife, Peggy A. Gabard

of Forsyth County, first party. James G. White Trustee, second party,

and A. & C. Metal Products Company, Inc., third party.

WITNESSETH, That whereas the first party is indebted to third party in the sum of One Thousand Two

Hundred Forty Seven and 52/100 DOLLARS, for which said first party has executed and caused to be delivered to said third party one note of even date herewith for said amount,

payable in forty-eight monthly installments of equal amounts, except the last, which is the same or of a lesser amount,

beginning October 25, 1965, with interest after maturity at the highest lawful rate, and it has been agreed that the payment of said debt shall be secured by the conveyance of the land hereinafter described:

NOW, THEREFORE, in consideration of the sum of \$1.00 to the first party, paid by the second party, said first party has bargained, sold, given, granted and conveyed, and by these presents does bargain, sell, give, grant and convey to the said second party

and his heirs and assigns, that tract of land in Clemmonsville Township, Forsyth County, described as follows: Lying and being in Clemmonsville Township, Forsyth County,

North Carolina and beginning at an iron stake in the western right of way
Line of Clemmons-Lewisville Road, said stake being at the Northwest inter-
section of the right of way lines of Clemmons-Lewisville Road and Sprinkle
Street as shown on Map of Clemmons Heights, Plat Book 3, page 38A, Forsyth
County Registry; running thence along the Northern right of way line of
Sprinkle Street, North 89 degrees 27' West 439.46 feet to an iron stake in the
said right of way line and also in the Southern Line of lot 12 on the afore-
mentioned Plat; thence North 00 degrees 25' east 95 feet to an iron stake, the
southwest corner of property already owned by grantees; thence South 89 degrees
27' east 439.46 ft. to an iron stake in the western right of way line of Clemmons-
Lewisville Road; thence South 00 degrees 25' West along said right of way line

TO HAVE AND TO HOLD said land and

described as follows: 95 feet to an iron stake, the place of the beginning, being
known and designated as an eastern portion of Lot 12 and a southeastern
portion of Lot 11, Map of Clemmons Heights, Plat Book 3, page 38A, Forsyth
County Registry; also being the same property as surveyed and platted by
Joyce Mapping Company in October, 1961.

said, shall then pay the costs and necessary expenses of the sale and apply so much of the residue of said proceeds as may be necessary to discharge said note and all interest and other charges then due thereon in accordance with the terms of the note, and shall pay the surplus, if any, to said first party.

The parties of the first part agree to make timely payments of all taxes and assessments and to keep the buildings on the said premises properly insured in favor of the party of the third part as its interest may appear and it is further agreed that if the party of the first part fails in this respect and the party of the third part advances any moneys in payment of such taxes, assessments or insurance premiums, the amount so expended shall be deemed principal money and be payable when the next installment is due under the note secured hereby.

The parties hereto do covenant and agree that if the trustee dies, becomes incapable of acting, renounces his trust, or for other reason becomes unacceptable to the third party, then the third party may appoint, in writing, a trustee to take the place of the second party, and upon the probate and registration of the same the trustee thus appointed shall succeed to all rights and powers of the second party.

Any statement of facts or recital by said trustee in this deed in relation to the non payment of the money secured to be paid, the amount due, the advertisement, sale, receipt of the money, and the execution of the deed to the purchaser, shall be received as prima facie evidence of such fact. If said first party shall pay off said note and interest and discharge fully the trusts, as herein declared, before such sale, then this instrument shall become null and void, otherwise to remain in full force and effect.

And the said party of the first part, doth covenant to and agree with said party of the second part, his heirs and assigns: That they are the owner and seized of said premises in fee simple; That they have the right to convey the same; That the same are free from any encumbrances whatsoever; That they will forever warrant and defend the title to the same from the lawful claims of all persons whomsoever; and that they will execute such further deed or deeds as may be necessary or proper to carry out the true intent and purpose of this trust.

Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN TESTIMONY WHEREOF, the said first party does hereunto subscribe its respective names and affix its seals.

x Tom C. Gabard (SEAL)

WITNESS: Tom Bolenhamer

x Peggy A. Gabard (SEAL)

State of North Carolina
County of Forsyth
I, James G. White, Notary Public of Forsyth
County, North Carolina, certify that Tom C. Gabard and Peggy A. Gabard personally appeared before me this day,

and being duly sworn, stated that in his presence Tom C. Gabard and Peggy A. Gabard (Names of makers)

signed the foregoing instrument.

WITNESS my hand and official seal, this the 9 day of July, 1965.

My Commission expires: December 15, 1965 Notary Public

D. I. BOOK 932 PAGE 516

Notary Public
James G. White
Forsyth County, North Carolina

Drawn By: *Ether J. Atkins, Secretary*

Mails:

DEED OF TRUST

ALLIED BUILDING SOCIETY
FINANCIAL CORPORATION
CORPORATED IN NORTH CAROLINA
CAPITAL \$100,000.00
RESERVE FUND \$25,000.00

NORTH CAROLINA, Forsyth

COUNTY

THIS INDENTURE, bearing date the 28 day of June

19 35 by and between

Tom C. Gabard and wife, *Leggy A. Gabard*

of Forsyth County, first party James D. White

Trustee, second party,

and a J Metal Products Company, Inc.

third party.

WITNESSETH that the first party is indebted to third party in the sum of One thousand Two

Hundred Forty Seven and 58/100----- DOLLARS,

for which said first party has secured certain property as hereinafter described here to and there to,

particular forty-eight

beginning October 25 1935

that the first party

and the second party

and the third party

and the fourth party

and the fifth party

and the sixth party

and the seventh party

and the eighth party

and the ninth party

and the tenth party

and the eleventh party

and the twelfth party

and the thirteenth party

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and the twenty-eighth party

and the twenty-ninth party

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and the thirty-first party

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... trust having been ...
... this ...

STATE OF NORTH CAROLINA, COUNTY.

I, , a Notary Public do hereby certify that 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 seal, this day of A. D., 19 My commission expires: Notary Public

STATE OF NORTH CAROLINA, COUNTY.

The foregoing certificate of , a Notary Public of County, is adjudged to be correct. Therefore, let the instrument, with the certificates be regist Witness my hand, this day of A

Clerk Superior Court

ASSIGNMENT

STATE OF North Carolina COUNTY OF Forsyth
FOR VALUE RECEIVED, Charles H. Atkins of A.C. Metal Products Company Inc. does hereby transfer, assign, and set over to the Allied Building Credits its successors and assigns, the within Deed of Trust and the Note which same secures, without recourse. SIGNED this 9 day of July, 1965. (Corporate Seal) Charles H. Atkins Secretary (If Corporation) A.C. Metal Products Company Inc. by Charles H. Atkins President, Owner, Partner

STATE OF NORTH CAROLINA, Forsyth COUNTY (Name of State and County where acknowledgment or proof is taken)

I, Jesse W. Lewis, a Notary Public of Forsyth County, North Carolina, do hereby certify that Charles H. Atkins personally came before me this day and acknowledged that he is of A.C. Metal Products Company Inc. (President, Vice-President, Secretary, or Treasurer) and acknowledged, on behalf of A.C. Metal Products Company Inc. (Name of Corporation)

I do further certify that I am not a party to the foregoing instrument.

WITNESS my hand and official seal, this 29 day of July, 1965. Seal must appear here. Seal must be impressed sufficient for the notary's name to be readable. Notary Public

My commission expires August 15, 1965 (Abbreviations MUST not be used)

STATE OF NORTH CAROLINA, FORSYTH COUNTY: The foregoing certificate of Jesse W. Lewis a notary public of Forsyth County, North Carolina, is adjudged to be correct. Let the instrument and the certificate be registered. This 2 day of August, 1965

No. 5010 C. S. C. Fee 25c paid. Deputy Clerk of Superior Court

Filed for registration at 9:50 o'clock A. M., August 2, 1965, and registered in the Office of the Register of Deeds of Forsyth County, North Carolina in Book Page

Fee \$3.00 paid. Eunice Ayers, Register of Deeds By Deputy Register of Deeds

Form 26-B-1M-11-62-Sun Ptg. Co. G. S. 47-41, 55-36 (b) (c)

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DEED OF TRUST
I hereby certify that the within Deed of Trust was filed for record in my office at o'clock on the day of 19 and was immediately entered upon the proper indexes and duly recorded in Book at Real Estate Mortgages, page Register of Deeds for County, North Carolina. Return To: