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2177

BK:01326 PG:2177

FILED  
ROCKINGHAM COUNTY  
REBECCA B. CIPRIANI  
REGISTER OF DEEDS

Jul 26, 2007 10:35:12 am  
RECORDING \$24.00  
PROBATE \$2.00  
EXCISE TAX \$1,155.00  
NONSTAND  
BOOK 01326  
PAGES 2177-2181  
INSTRUMENT # 10244  
WDM

Excise Tax: \$1155.00	Recording Time, Book and Page
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Tax Lot No.: \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Mail after recording to: W. Eric Medlin, Robertson, Medlin & Blocker, PLLC, 125 S. Elm Street,  
Suite 100, Greensboro, NC 27401

This instrument was prepared by: ROBERTSON, MEDLIN & BLOCKER, PLLC  
Brief Description For The Index:

[ ]

**SUBSTITUTE TRUSTEE'S DEED**

GRANTOR	GRANTEE
W. Eric Medlin, Substitute Trustee Robertson, Medlin & Blocker, PLLC 125 S. Elm Street, Suite 100 Greensboro, NC 27401	The Fidelity Bank P. O. Box 8 Fuquay Varina, NC 27526

The designation Grantors 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 context.

THIS DEED, made this 24<sup>th</sup> day of July 2007, by and between W. Eric Medlin Substitute Trustee under the Deed of Trust hereinafter mentioned, of Guilford County, North Carolina (the "Grantor"), and the Fidelity Bank. (the "Grantee");

**WITNESSETH:**

WHEREAS, on August 3, 2004, Ralph M. Barrow and Mary S. Barrow (the "Debtors") executed and delivered a Note (the "Note") evidencing their indebtedness to The Fidelity Bank in the original principal amount of \$700,000.00; and

WHEREAS, Debtors and Stoneville Properties, LLC also executed a Deed of Trust dated August 3, 2004 and recorded in Book 1211, Page 1699 of the Rockingham County Public Registry (the "Deed of Trust"), conveying certain real and personal property conveyed herein (the "Property") in Rockingham County to David E. Royal, Trustee, for the benefit of The Fidelity Bank to secure the Note; and

WHEREAS, W. Eric Medlin was substituted as Trustee by a Substitution of Trustee recorded in the Office of the Register of Deeds of Rockingham County, North Carolina in Book 1288, Page 778; and

WHEREAS, default having occurred in the payment of the indebtedness secured by the Deed of Trust and in the performance of the stipulations and conditions therein contained, due demand was made upon Grantor, by the owner and holder of the indebtedness secured by the Deed of Trust, that the Grantor foreclose the Deed of Trust and sell the real property described therein under the terms and provisions thereof and the laws of the State of North Carolina; and

WHEREAS, under and by virtue of the power and authority in him vested by the Deed of Trust and according to the terms and the stipulations of the same, and pursuant to the Order of the Clerk of Superior Court of Rockingham County in that certain FORECLOSURE PROCEEDING, entitled 07 SP 0155, whereupon the Clerk of Superior Court of Rockingham County, North Carolina authorized Grantor to proceed under the Deed of Trust and sell the Property, and Grantor, at 10:00 a.m. on June 11, 2007, did expose the Property, for sale at public auction at the Rockingham County Courthouse; and

WHEREAS, Grantor duly reported the sale to the Clerk of Superior Court for Rockingham County on June 12, 2007 and thereafter said sale remained open ten (10) days as by law required; and

WHEREAS, Grantee became the last and highest bidder at the foreclosure sale for the property conveyed hereby with a high bid of \$577,501.05; and, there were no additional upset bids placed thereon in the time allowed by law and the bid rights of Grantee have become fixed; and

NOW, THEREFORE, in consideration of the premises and the payment of the purchase price by Grantee, the receipt of which is hereby acknowledged, and pursuant to the authority vested in him by the terms of the Deed of Trust, Grantor does hereby bargain, sell, grant and convey unto Grantee and its successors and assigns, all of the real property described in the attached Exhibit A save and except the real properties previously released or conveyed.

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

The contents of Special Proceeding File 07 SP 0155 are incorporated by reference herein. **The Trustee makes no warranties as to the status of title to the property described herein or regarding the effect of the foreclosure proceeding on other liens, encumbrances or interests, recorded or unrecorded.**

**TO HAVE AND TO HOLD** the said Property, together with all privileges and appurtenances as thereunto belonging unto the Grantee, its successors and assigns, forever, in as full and ample manner as Grantor, as Substitute Trustee, is authorized and empowered to convey.

**IN WITNESS WHEREOF**, Grantor, Substitute Trustee under the Deed of Trust, has hereunto set his hand and affixed his seal on the day and year first above written.

W Eric Medlin (SEAL)  
W. Eric Medlin  
Substitute Trustee

**NORTH CAROLINA**

**GUILFORD COUNTY**

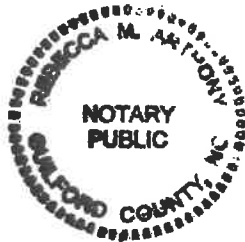
I, the undersigned, a Notary Public, do hereby certify that W. Eric Medlin, Substitute Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal or stamp, this the 24 day of July, 2007.

Rebecca M. Anthony  
Notary Public

Print Name: Rebecca M. Anthony

My Commission Expires: 7-21-2011



**EXHIBIT A**  
**TRACT ONE – SOUTH VAN BUREN ROAD, EDEN, NC**

**PART ONE: BEGINNING** at an iron in the W. line of Van Buren Street (N.C.#14) said iron marking the common front corner between Lots 3 and 4, Section "G", and the S.E. corner of that tract deeded to Herbert G. Hopper and wife by deed dated October 2, 1969, said beginning point being located with the W. line of Van Buren Street (N.C.#14) S. 00 deg. 33 min. E. 300 feet from the S.W. corner of West Eden Drive and Van Buren Road (N.C.#14); thence from said beginning point with the W. line of Van Buren Street (N.C.#14) S. 00 deg. 33 min. E. with the front lines of Lots 4 and 5, 200 feet to an iron marking the common front corner between Lots 5 and 6, Section "G"; thence leaving Van Buren Street (N.C.#14) with line between Lots 5 and 6, S. 89 deg. 27 min. W. 200 feet to an iron marking their common rear corner between said Lots; thence with the rear line of Lots 5 and 4, N. 00 deg. 33 min. W. 200 feet to an iron marking the S.W. corner of Lot No. 3; thence with the line between Lots 3 and 4, N. 89 deg. 27 min. E. 200 feet to the point of beginning. Containing 40,000 sq. ft., more or less, and being all of lots 4 and 5, Section "G" as per map made for Spray Water Power & Land Company being "A Composite of Portions of Irvin River Heights and Forest Hills" revised June 15, 1965 by Shanks & Wilmarth, Engineers-Surveyors, Danville, Virginia.

**PART TWO: BEGINNING** at an iron marking the intersection of the South line of West Eden Drive and the West line of Van Buren Street (N.C.#14), it being the northeast corner of Lot No. 1, Section "G", and being further located at S. 00 deg. 33 min. E. with the West line of N.C. #14 1,510 feet from the South West corner of West Harris Place and N.C. #14; thence from said beginning point with the west line of N.C. #14, and the front lines of Lots 1, 2, and 3, Section "G", S. 00 deg. 33 min. E. 300 feet to an iron marking the common front corner between Lots 3 and 4; thence leaving N. C. Highway #14 with the line between said Lots, S. 89 deg. 27 min. W. 200 feet to an iron marking common rear corner between said lots; thence with rear lines of Lots 3, 2, and 1, Section "G", N. 00 deg. 33 min. W. 300 feet to an iron in the South line of West Eden Drive, marking the northwest corner of Lot 1; thence with the South line of West Eden Drive N. 89 deg. 27 min. E. 200 feet to the point of beginning. Containing 60,000 square feet or 1.37741 acres, and being all of Lots 1, 2, & 3, Section "G" as per map made for Spray Water Power & Land Company being "A Composite of Portions of Irvin River Heights and Forest Hills" revised June 15, 1965 by Shanks & Wilmarth, Engineers-Surveyors, Danville, Virginia. (WM dms 2 111410-0)

**TRACT TWO – DIVISION STREET, EDEN, NC**

**BEGINNING** at an existing iron pipe and control corner located along the southern right of way of Division Street (not open), said iron being located South 89 degrees 28' 50" West 200.00 feet from a point marking the intersection of the southern right of way of said unopened street with the Western right of way of NC Highway 14 (Van Buren Road), said point of beginning also marking the northwest corner for Charles E. Rumbley (Deed Book 904, Page 1398); and running from said point of beginning along the western line of Rumbley South 0 degrees 35' 26" East 600.00 feet to an iron stake set, a corner for the City of Eden (Deed Book 709, Page 138); thence along the line of the City of Eden South 89 degrees 25' 34" West 100.00 feet to a new iron set; thence along a new line North 00 degrees 35' 26" West 600.10 feet to a new iron set in the

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southern right of way of Division street (not opened); thence along said right of way North 89 degrees 28' 50" East 100.00 feet to an existing iron stake, the point and place of beginning and containing 1.378 acres, as shown on survey entitled "Plat of Survey for Mark Spencer Agee & Tori Agee and William F. Pace, Jr. & Melinda F. Pace, Leaksville Township, Rockingham County, North Carolina," dated July 25, 1997, and revised February 15, 1999, by C. E. Robertson and Associates, R.L.S. to which reference is hereby made for more particularity in description (WM dms2 110410-1)

**EXHIBIT A – TRACT THREE**  
**Ralph M. Barrow and wife, Mary S. Barrow**  
**1.378 acres, Division Street, Eden, North Carolina**

Being all of that tract containing 1.378 acres as shown on a plat entitled "Minor Subdivision Plat of Survey for Gary & Kristi Agee, Leaksville Township, Rockingham County, North Carolina," by C. E. Robertson & Associates, P.L.S. dated December 3, 2001, and recorded in Map Book 48, page 92, Rockingham County Registry, to which reference is hereby made for more particularity in description.

The Grantors do hereby reserve unto themselves, their heirs and assigns, a perpetual sewer line easement 10 feet wide along the north property line of the above described property, said north property line being described as follows: Beginning at an existing iron stake in the south right of way line of an unnamed street, said iron being South 89° 28' 50" West 300.00 feet from the intersection of the south right of way line of the unnamed street by the west right of way line of N. C. Hwy 14 (Van Buren Street); and running from the point of beginning, South 89° 28' 50" West 100.00 feet to an iron stake, a new corner for Grantors, Gary D. Agee and wife, Kristi C. Agee; said sewer line easement being for the purpose of installing, maintaining, and repairing the sewer line or lines within the said easement, the right and easement hereby reserved is appurtenant to and runs with the land now owned by the Grantors.

SUBJECT to a 20 foot wide utility easement to the City of Eden, 10 feet on each side of the dividing line between the above described property and Charles E. Rumbley (Deed Book 1008, page 198) as shown on a map recorded in Map Book 44, page 98. (Th001)

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**NOTES:**

1. THIS PLAN IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.
2. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.
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10. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.

NOTED AND IN  
ROANOKE COUNTY

FILED FOR RECORDATION IN THE  
OFFICE OF THE REGISTER OF DEEDS,  
ROANOKE COUNTY, NORTH CAROLINA,  
ON SEPTEMBER 26, 2006, AT 10:00 A.M.

RECORDED BY: **J. S. PAGE, JR.**  
REGISTER OF DEEDS

BY: **Matthew G. Williams**  
ATTORNEY AT LAW

THIS PLAN IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.

RECORDED BY: **J. S. PAGE, JR.**  
REGISTER OF DEEDS

BY: **Matthew G. Williams**  
ATTORNEY AT LAW

**DEFINITION OF LOTS, BLOCKS AND SUBDIVISIONS:**

THE LOTS, BLOCKS AND SUBDIVISIONS SHOWN ON THIS PLAN ARE IDENTIFIED BY THE NUMBERS AND LETTERS SET FORTH HEREIN. THE LOTS, BLOCKS AND SUBDIVISIONS ARE IDENTIFIED BY THE NUMBERS AND LETTERS SET FORTH HEREIN.

DATE: **09-26-06**

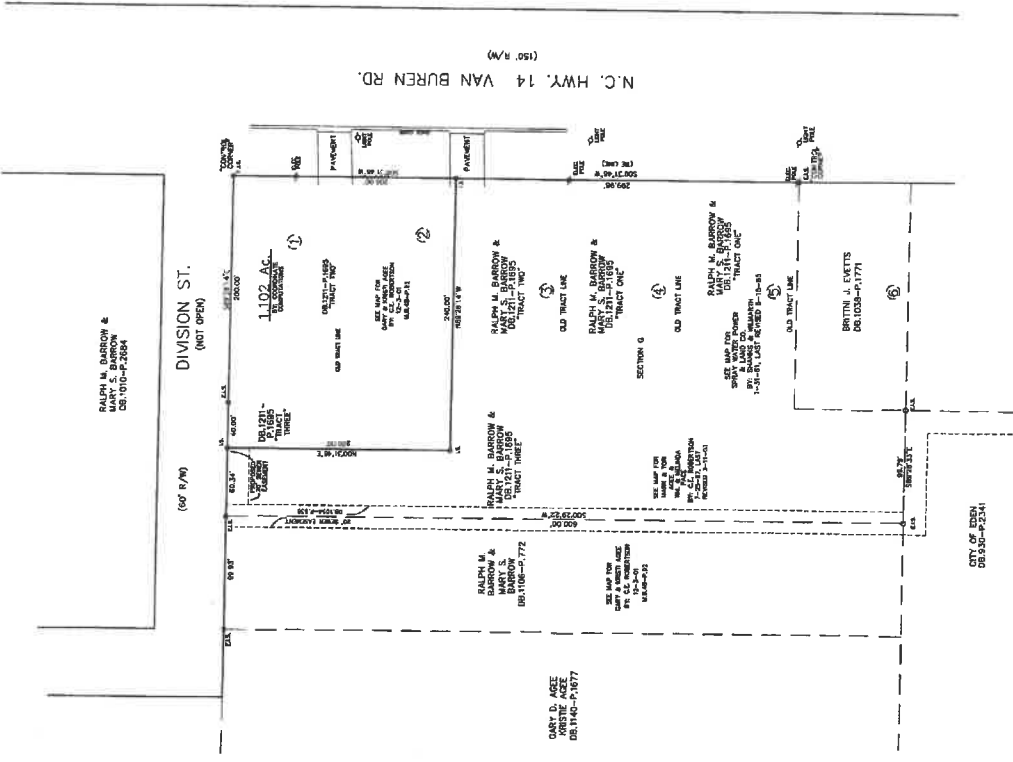
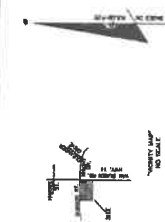
DRAWN BY: **Matthew G. Williams**

**NOTARY PUBLIC:** **J. S. PAGE, JR.**  
REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.

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REGISTER OF DEEDS, ROANOKE COUNTY, NORTH CAROLINA.



N.C. HWY. 14 VAN BUREN RD. (150' R/W)

DIVISION ST. (NOT OPEN)

STATE OF NORTH CAROLINA  
COUNTY OF ROANOKE

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires \_\_\_\_\_.

Notary Public  
J. S. PAGE, JR.

STATE OF NORTH CAROLINA  
COUNTY OF ROANOKE

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires \_\_\_\_\_.

Notary Public  
J. S. PAGE, JR.

**K.C. DEVELOPMENT, LLC**  
FOR PART OF TRACT 1

LEANSVILLE TWP. ROANOKE COUNTY  
NORTH CAROLINA  
SEPTEMBER 26, 2006 SCALE 1" = 50'

SCALE: 1" = 50'

CE. GIBSON, L.L.C. ASSOCIATES  
PROFESSIONAL LAND SURVEYOR L-1461  
P.O. BOX 504  
EDEN, NC 27209  
PH. (336) 657-9496

60-62











