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Buncombe County, NC
Otto W. DeBruhl Register of Deeds

BK 3819 PG 760-762

Prepared by and return to:
William F. Wolcott, III – Attorney (Box #56) 02-127A
Stamps: \$ 1,013.00

State of North Carolina
County of Buncombe

SUBSTITUTE TRUSTEE'S DEED

THIS SUBSTITUTE TRUSTEE'S DEED, made this 26th day of October, 2004, by and between JOHNSON, PRICE & SPRINKLE, P. A., Substitute Trustee, hereinafter sometimes referred to as Grantor; and FIRST-CITIZENS BANK & TRUST COMPANY, Attn: Gregory Jones, P.O. Box 31727, Charlotte, NC 28231, hereinafter sometimes referred to as Grantee;

WITNESSETH:

THAT WHEREAS, on April 16, 1999, HYMAN YOUNG, JR. and wife, JULIA YOUNG, executed and delivered to ROBERT C. ROBERTS, Trustee, a certain deed of trust which is recorded in the Office of the Register of Deeds for Buncombe County, North Carolina, in Book 2094, at Page 477; and

WHEREAS, there was default in the payment of the indebtedness thereby secured as therein provided, as determined by Order of the Clerk of Superior Court of Buncombe County and 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 as in said deed of trust prescribed and by law provided, the said Grantor did, on September 14, 2004, at the front door of the Buncombe County Courthouse in the City of Asheville, Buncombe County, North Carolina, expose to public sale the lands hereinafter described, where and when FIRST-CITIZENS BANK & TRUST COMPANY became the last and highest bidder for the same in the amount of \$506,400.00; and

WHEREAS, ten days have elapsed since the filing of the report of the sale of said property with the Clerk of the Superior Court for Buncombe County, and during such time, the sale was not withdrawn, no upset bid was filed with such Clerk; and

WHEREAS, all parties entitled to notice under North Carolina General Statutes, Chapter 45, Article 2A, Part 2, have been so notified, as evidence by the aforesaid Order of the Clerk of the Superior Court of Buncombe County; and

WHEREAS, the purchase price as above set forth has been fully paid, as in said deed of trust prescribed.

NOW, THEREFORE, in consideration of the premises and the sum of \$506,400.00, paid to the said Grantor by the said Grantee, the receipt of which is hereby acknowledged, and under and by virtue, and in execution of the power and authority conferred by said deed of trust, the Grantor, JOHNSON, PRICE & SPRINKLE, P. A., as Substitute Trustee, does hereby bargain, sell and convey unto the Grantee, FIRST-CITIZENS BANK & TRUST COMPANY, its successors and/or assigns forever, all that certain piece, parcel or lot of land, situate, lying and being in Buncombe County, North Carolina, and bounded and more particularly described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said land and premises, and all privileges and appurtenances thereto belonging, unto the said Grantee, its successors and/or assigns forever, in as full and ample manner as the said Grantor is authorized and empowered to convey the same.

WITNESS the following signature and seal, this the day and year first above written.

JOHNSON, PRICE & SPRINKLE, P. A.
Substitute Trustee

By: R Leslie Johnson
Vice President

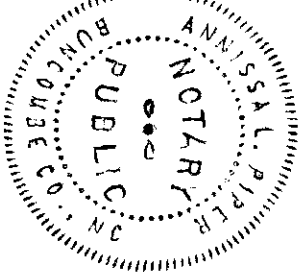
STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Annissa L. PIPER, a Notary Public of the State and County aforesaid, certify that R. Leslie Johnson personally came before me this day and acknowledged that he is Vice President of JOHNSON, PRICE & SPRINKLE, P.A., a North Carolina corporation, Substitute Trustee herein and that he, as Vice President, being authorized to do so, executed the foregoing instrument on behalf of the corporation as Substitute Trustee.

Witness my hand and official seal, this the 26th day of October, 2004.

Annissa L. Piper
(Notary Public)

My Commission expires: 7/23/2005



State of North Carolina, County of Buncombe

Each of the foregoing certificates, of

Annissa L. Piper

is hereby certified to be correct. Filed for registration on this the

27 day of October, 2004

Stacy W. DeBlasi Andy Harey
STACY W. DEBLASI, Register of Deeds By: Deputy

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EXHIBIT A

In Leicester Township, Buncombe County, North Carolina.

Containing 9.82 acres, more or less. Being part of the property described in Deed Book 1633, Page 502, and Deed Book 1312, Page 155.

Described in the following paragraph. The calls which contain pairings of the letters "N," "E," "S" and "W," followed by a series of hyphenated numbers, represent the compass quadrant ("NW," "SE," etc.) and the number of "degrees"- "minutes"- "seconds" off the North-South axis. (For instance, "NW-10-10-10" would represent what is traditionally noted as "North 10 degrees, 10 minutes, 10 seconds West.") When used, "IP" means iron pipe or iron pin; "RB" means rebar; "CM" means concrete monument; "RRS" means railroad spike.

BEGINNING at a point in the center of the right of way hereinafter described, said point standing in the center of a small stream, said point also standing in the West boundary of the property described in Deed Book 1633, Page 502, and Deed Book 1312, Page 155, and North 10 deg. 02 min. 0 sec. West 30.30 feet from the beginning corner established in those two deeds; then from the beginning corner thus established and with the center line of the right of way as follows: SE-88-35-19 99.86 feet; NE-81-31-48 142.20 feet; NE-77-22-12 94.75 feet; NE-80-55-49 180.26 feet; and NE-83-26-41 75.26 feet; then leaving the center of the right of way a new line, NE-32-46-20 (passing an existing IP at 26.68 feet) a total distance of 291.24 feet to an existing IP in the old North boundary; then with the old boundary as follows: NW-52-00-00 428.85 feet to an existing IP; NW-61-19-00 287.82 feet; NW-73-34-00 321.57 feet; SE-24-32-00 84.66 feet; SE-37-35-00 168.50 feet; SE-23-27-00 80.60 feet; SE-06-39-00 61.00 feet; SW-68-00-00 159.58 feet; SE-18-02-00 396.90 feet to a point in the North margin of the right of way hereinafter described; then continuing SE-18-02-00 34.23 feet to the point of BEGINNING.

FURTHER CONVEYED HERewith is the perpetual right of ingress, egress and regress over a right of way having a width of 60 feet, the Northern boundary of which is described as follows and the 60 feet being measured perpendicularly from the following described line: BEGINNING at an iron pipe which is located North 17 deg. 43 min. West 34.23 feet from the beginning point of the tract hereinbefore described; thence North 85 deg. 48 min. 35 sec. West 107.48 feet to an existing iron pipe; North 33 deg. 48 min. West 327.66 feet to a hub set; North 83 deg. 32 min. 21 sec. West 469.15 feet to a point in the center of the public road, namely Mount Carmel Road. This being the same right of way described and conveyed in Deed Book 1633, Page 502, and Deed Book 1312, Page 155.

FURTHER CONVEYED HERewith is the perpetual right of ingress, egress and regress over a right of way having a width of 60 feet, the center line of which is described as follows, 30 feet being measured perpendicular on both sides from the following described line; connecting with and extending eastward from the eastern terminus of the margin of the first right of way described above: BEGINNING at a point in the center of the right of way which marks the beginning point of the tract hereinbefore described; then with the center line of the right of way, and generally with the center line of the existing road, and with a portion of the South boundary of the tract hereinbefore described; as follows: SE-88-35-19 99.86 feet; NE-81-31-48 142.28 feet; NE-77-22-12 94.75 feet; NE-80-55-49 180.26 feet; and NE-83-26-41 75.26 feet.

The same rights of way are reserved to the Grantor and Grantor's heirs, successors and assigns as an appurtenance to the balance of the property described in Deed Book 1633, Page 502, and Deed Book 1312, Page 155.