

**STATE OF NORTH CAROLINA**

File No.

05 E 1060

DAVIDSON County

In The General Court Of Justice  
Superior Court Division  
Before the Clerk

**IN THE MATTER OF THE ESTATE OF:**

Name

MOLETA B. FRITTS

**LETTERS**

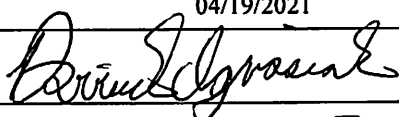
OF ADMINISTRATION CTA

G.S. 28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of wills and the administration of estates, and upon application of the fiduciary, has adjudged legally sufficient the qualification of the fiduciary named below and orders that Letters be issued in the above estate.

The fiduciary is fully authorized by the laws of North Carolina to receive and administer all of the assets belonging to the estate, and these Letters are issued to attest to that authority and to certify that it is now in full force and effect.

Witness my hand and the Seal of the Superior Court.

Name And Address Of Fiduciary 1 BRYAN C. THOMPSON 210 S. CHERRY ST. WINSTON-SALEM, NC 27101	Date Of Qualification 04/19/2021
	Clerk Of Superior Court SANDIE T. CHAPPELL
Title Of Fiduciary 1 ADMINISTRATOR CTA	EX OFFICIO JUDGE OF PROBATE
Name And Address Of Fiduciary 2	Date Of Issuance 04/19/2021
	Signature 
Title Of Fiduciary 2	<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

**SEAL**

**NOTE: This letter is not valid without the official seal of the Clerk of Superior Court.**

11

DAVIDSON COUNTY TAX COLLECTOR  
913 GREENSBORO STREET  
LEXINGTON NC 27292



### 2020 PROPERTY TAX NOTICE

**DUE DATE:** Property taxes are due on September 1 and delinquent if not paid on or before January 5, 2021. Subject to advertisement if not paid by February 12, 2021.

**FAILURE TO PAY:** Delinquent taxes are subject to garnishment of wages, attachment of bank accounts, state income tax refunds, or rents received, levy on personal property and foreclosure proceedings.

**ESCROW MORTGAGE ACCOUNT:** The property owner is responsible for ensuring full payment of this obligation. If funds are held in escrow to pay this notice and you have received the tax bill, forward this tax bill or contact the appropriate mortgage holder.

**\*\*NOTE\*\*** If you are unable to pay this tax bill in full, please visit the Davidson County Tax Office to discuss payment options.

**DISCOUNTS OFFERED:** 1.5% discount is offered if tax bill is paid by July 31, 2020. 1% discount is offered if tax bill is paid by August 31, 2020.

**PLEASE READ BACK FOR ADDITIONAL INFORMATION.**





**If you transferred ownership of real property after January 1st, and you are no longer the recorded owner of real property, please forward this notice to the new owner or disregard. Personal Property is still due and payable as of January 1st.**

\*\*\*\*\*AUTO\*\*5-DIGIT 27292  
9000874 2801-PTN 2730 1 2 3



LOHR PHILLIP B ADMIN CTA OF  
THE EST OF MOLETA B FRITTS  
212 N STATE ST  
LEXINGTON NC 27292-3428



ACCOUNT #	BILL NUMBER	PARCEL NUMBER	BILLING DATE	DUE DATE	
9206791	2020-058056	11-347-B-000-0181-	07/01/20	09/01/20	
Real Value		113,600	Legal Descriptions: P=4-45 L181-188 BK1159-12 74 FAIRVIEW		
Personal Property Value			Land Units: 1.0000LT		
Exemptions			Property Location: 001237 FAIRVIEW DR		
Deferred Value					
Net Taxable Value		113,600			
<b>PAY BY CREDIT CARD ONLINE:</b> Real Estate & Personal Property Taxes			<b>TAXING DISTRICT</b>	<b>RATE PER \$100 VALUE</b>	
    <p>CALL 1-855-461-9799 OR VISIT ONLINE SERVICES AT <a href="https://client.pointandpay.net/web/DavidsonCountyTaxNC">https://client.pointandpay.net/web/DavidsonCountyTaxNC</a> Provider (Point &amp; Pay) charges a fee for this service regardless if paying online, by telephone, or in office.</p>			COUNTY WIDE	.5400	613.44
			CITY OF LEX	.6500	738.40
			LEX SC01	.1200	136.32
<input checked="" type="checkbox"/> <b>CHECK POLICY</b> If your check is dishonored or returned for any reason, you will be charged a fee. This fee will include the amount of the returned check, plus ten percent (10%) of the amount of the returned check up to a maximum of one thousand dollars (\$1,000) or a \$25.00 processing fee, whichever is greater as required by the North Carolina General Statute §105-357(b)(2).			<b>TOTAL DUE: IF PAID BY: JULY 31, 2020</b>		1,465.84
			IF PAID BY: AUGUST 31, 2020		1,473.29
			IF PAID : SEPTEMBER 1, 2020		1,488.16

2801PPTN 6/16/20 PMS 348, 109, K 3.5

**QUESTIONS:** (336) 242-2180 OR (336) 242-2160 \* WHEN CALLING PLEASE HAVE YOUR BILL NUMBER AVAILABLE  
**MAIN OFFICE:** 913 GREENSBORO ST \* GOVERNMENTAL CENTER \* LEXINGTON \* HOURS: 7:30 AM-6:00 PM, M-F  
**DENTON SATELLITE OFFICE:** 201 W. SALISBURY STREET \* DENTON \* HOURS: 8:30 AM-4:00 PM, M-F

**DETACH THE LOWER PORTION AND RETURN WITH PAYMENT IN THE ENCLOSED ENVELOPE**

12

DAVIDSON COUNTY TAX COLLECTOR  
913 GREENSBORO STREET  
LEXINGTON NC 27292



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9000874 2801-PTN 2730 2 2 3



LOHR PHILLIP B ADMIN CTA OF  
THE EST OF MOLETA B FRITTS  
212 N STATE ST  
LEXINGTON NC 27292-3428



ACCOUNT #	BILL NUMBER	PARCEL NUMBER	BILLING DATE	DUE DATE	
9206791	2020-058055	11-347-0-000-0072-	07/01/20	09/01/20	
Real Value		190,000	Legal Descriptions: L72 CC74-62 BK1159-1274 FRITTS ST		
Personal Property Value			Land Units: 4.7500AC		
Exemptions			Property Location: FRITTS ST		
Deferred Value					
Net Taxable Value		190,000			
<b>PAY BY CREDIT CARD ONLINE:</b> Real Estate & Personal Property Taxes			<b>TAXING DISTRICT</b>	<b>RATE PER \$100 VALUE</b>	
    <p>CALL 1-855-461-9799 OR VISIT ONLINE SERVICES AT <a href="https://client.pointandpay.net/web/DavidsonCountyTaxNC">https://client.pointandpay.net/web/DavidsonCountyTaxNC</a> Provider (Point &amp; Pay) charges a fee for this service regardless if paying online, by telephone, or in office.</p>			COUNTY WIDE	.5400	1,026.00
			CITY OF LEX	.6500	1,235.00
			LEX SC01	.1200	228.00
			<b>TOTAL DUE: IF PAID BY: JULY 31, 2020</b>		<b>2,451.66</b>
IF PAID BY: AUGUST 31, 2020		2,464.11			
IF PAID : SEPTEMBER 1, 2020		2,489.00			

2801PPTN 6/16/20 PMS 348, 199, K 3.5



If your check is dishonored or returned for any reason, you will be charged a fee. This fee will include the amount of the returned check, plus ten percent (10%) of the amount of the returned check up to a maximum of one thousand dollars (\$1,000) or a \$25.00 processing fee, whichever is greater as required by the North Carolina General Statute §105-357(b)(2).

CHECK POLICY

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**DETACH THE LOWER PORTION AND RETURN WITH PAYMENT IN THE ENCLOSED ENVELOPE**

# **GATEWAY REALTY**

9

**Residential-Homes-Land**

**Land Development**

**820 Carl Pressley Road**

**Lexington,NC 27295**

**336-239-5208**

To-Phil Lohr

From-Gateway Realty

Statement for 2020 Rental Property Report

Property at 1237 Fairview Drive, Lexington, NC 27292

Rent-\$550.per month Property Management fee \$44.00

Rented 12 months for regular rate

Total net income sent to owner \$6072.00

Property Management fee total \$528.00

Signed *Toni Michael*

Toni Michael/Broker

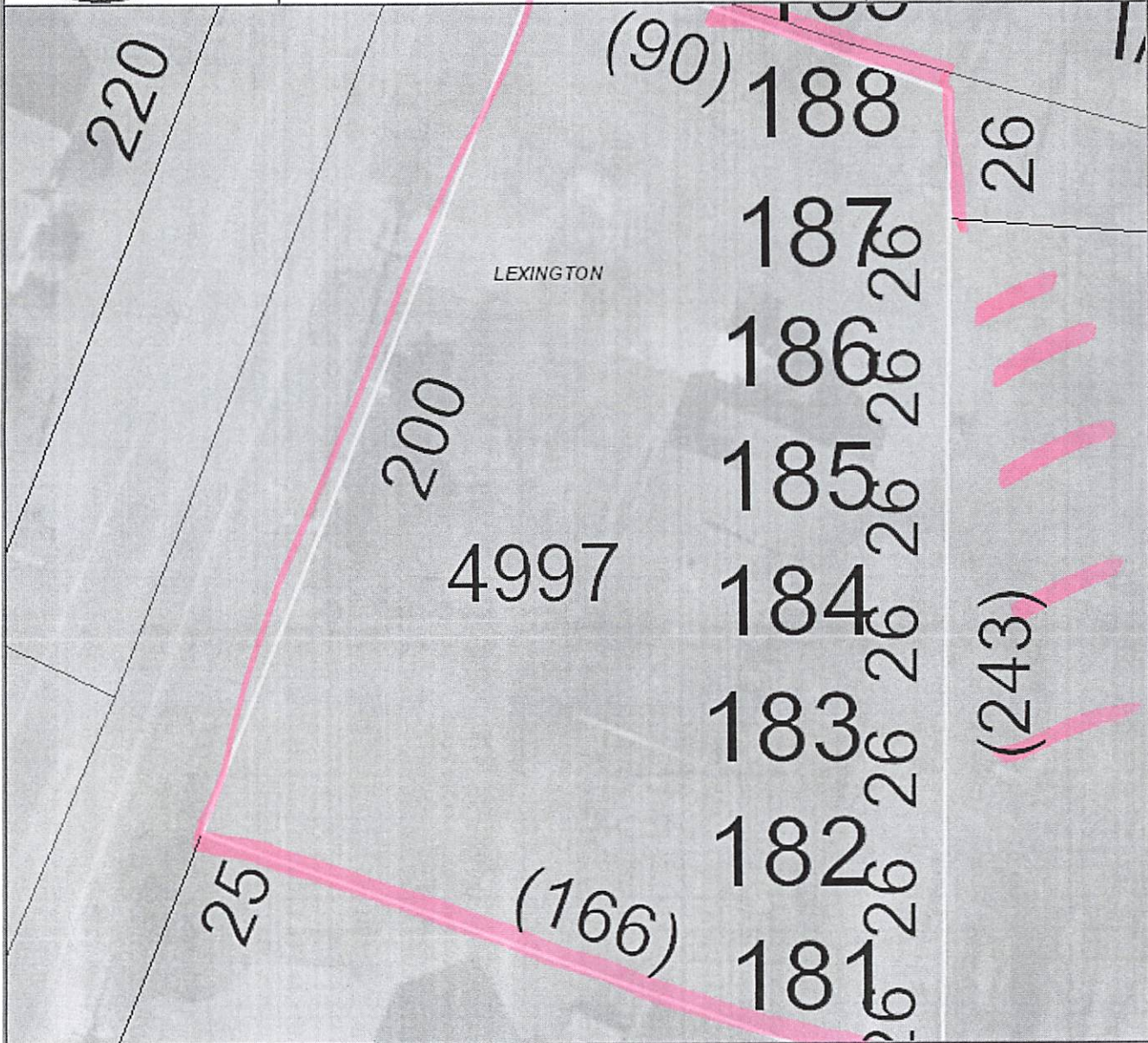
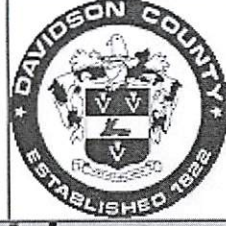
Gateway Realty

Date 12-31-2020





# Davidson County GIS



**Fritts**

<b>Parcel Number :</b> 11347B0000181	<b>Land Units:</b> 1 LT
<b>Pin Id :</b> 6724-04-63-4997	<b>Deed Book:</b> 2102 <b>Pg:</b> 1009
<b>Owner :</b> FRITTS MOLETA B ESTATE C/O BRYAN THOMPSON ADMIN 210 S CHERRY ST WINSTON SALEM NC 27101-5231	<b>Deed Date:</b> 05/15/2013
<b>Property Address:</b> 1237 FAIRVIEW DR	<b>Account Number:</b> 9252102
<b>Township:</b> 11	<b>Exempt Code:</b>
<b>Building Value:</b> \$94,570	<b>Other Building Value:</b> \$2,220
<b>Land Value:</b> \$25,000	<b>Market Value:</b> \$121,790
<b>Assessed Value:</b> \$121,790	<b>Deferred Value:</b> \$0
<b>Legal Description :</b> P=4-45 L181-188 BK1159-1274 FAIRVIEW	

**Additional Attributes**

**Fire Service Districts**

Sq.Miles 17.99  
Name LEXINGTON

**Townships**

Sq. Miles 56.57  
Name LEXINGTON

**County Zoning Districts**

Zone  
**Soil Types**  
DSL Name  
Soil Name

Type  
Percent Sl  
Hydric

**Municipal Boundary**

Name LEXINGTON  
SQ Miles 17.79

1 inch = 35 feet

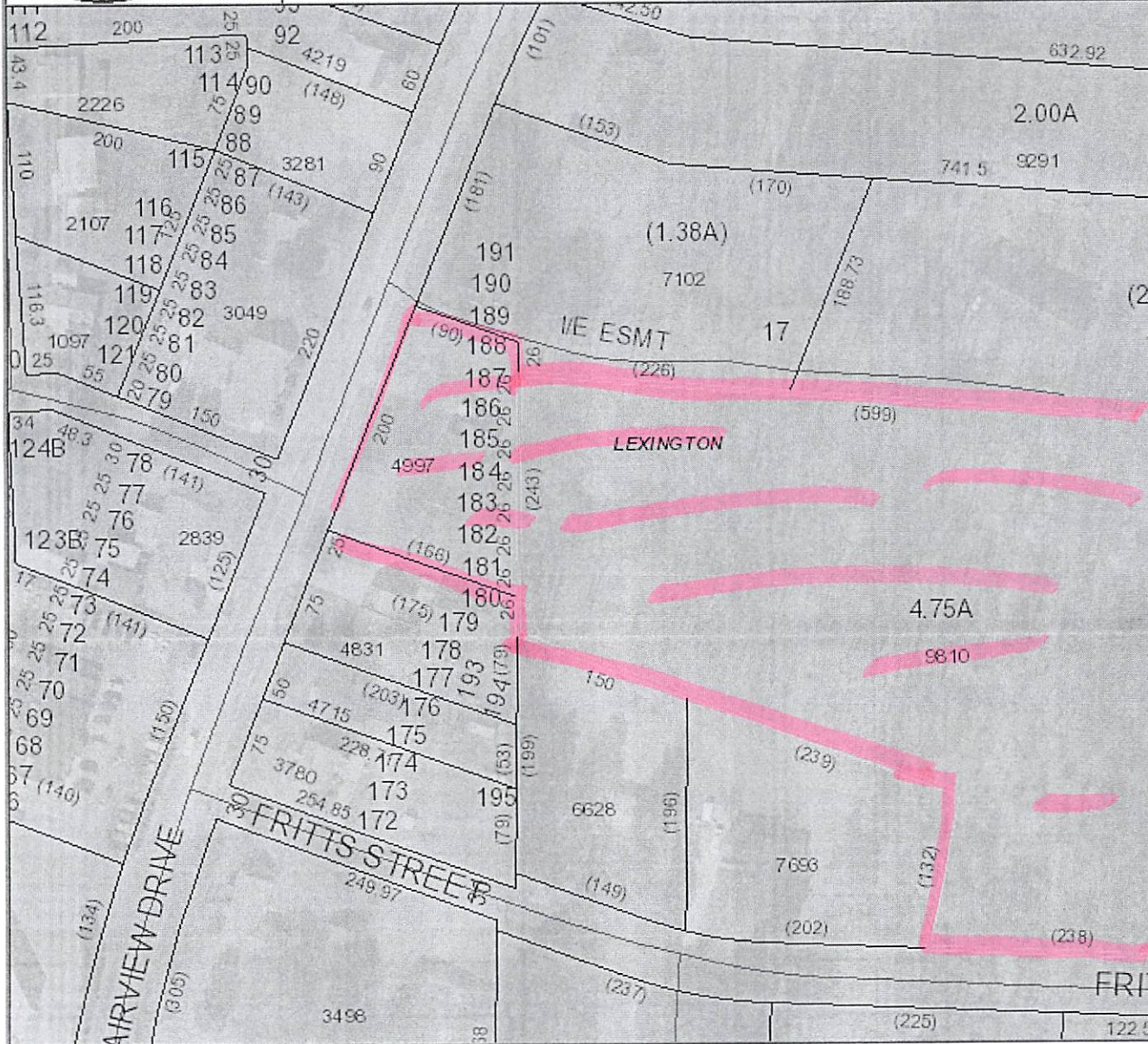
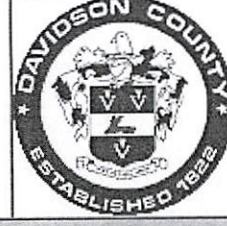


The information contained on this map does not replace information that may be obtained by consulting the official source of the information. In no event shall Davidson County, NC or the consultants of Davidson County, NC be liable for any damages, direct or consequential, from the use of the information contained on this map.





# Davidson County GIS





**Fritts**

<b>Parcel Number :</b>	1134700000072	<b>Land Units:</b>	4.75 AC
<b>Pin Id :</b>	6724-04-63-9810	<b>Deed Book:</b>	2102 Pg: 1009
<b>Owner :</b>	FRITTS MOLETA B ESTATE C/O BRYAN THOMPSON ADMIN 210 S CHERRY ST WINSTON SALEM NC 27101-5231	<b>Deed Date:</b>	05/15/2013
<b>Property Address:</b>	FRITTS ST	<b>Account Number:</b>	9252102
<b>Township:</b>	11	<b>Exempt Code:</b>	
<b>Building Value:</b>		<b>\$0 Other Building Value:</b>	\$0
<b>Land Value:</b>	\$190,000	<b>Market Value:</b>	\$190,000
<b>Assessed Value:</b>	\$190,000	<b>Deferred Value:</b>	\$0
<b>Legal Description :</b> L72 CC74-62 BK1159-1274 FRITTS ST			

**Additional Attributes**

**Fire Service Districts**

Sq.Miles 17.99  
Name LEXINGTON

**Townships**

Sq. Miles 56.57  
Name LEXINGTON

**County Zoning Districts**

Zone  
Soil Types  
DSL Name  
Soil Name

Type  
Percent Sl

**Municipal Boundary**

Name LEXINGTON  
SQ Miles 17.79



1 inch = 138 feet

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FILED  
DAVIDSON COUNTY, NC  
DAVID T. RICKARD  
REGISTER OF DEEDS  
May 15, 2013 02:27:41 PM  
DEED BOOK 2102  
PAGE 1009 - 1011  
INSTRUMENT # 2013000011173  
DOCTYPE: DEED  
RECORDING:\$26.00  
EXCISE TAX:\$0.00

Deputy: SKEPLEY

Excise Tax \$ -0- Do NOT write above this line.

Recording: Time, Book and Page

# North Carolina General Warranty Deed

This instrument prepared by: Philip B. Lohr, Attorney at Law, 212 North State Street, Lexington, NC 27292

Brief description for the Index

This Deed made the 6th day of May, 2013 by and between Grantors and Grantee:

Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership). The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantors: Evelyn F. Hayes, single;  
and Evelyn F. Hayes, Trustee;  
and Carolyn F. Haden, widow  
and Carolyn F. Haden, Trustee

Grantee: Philip B. Lohr, Administrator CTA of  
The Estate of Moleta B. Fritts

Transfer of Ownership: Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, conveys to Grantee in fee simple, the Property described below:

Property: City of \_\_\_\_\_  
Township of Lexington, County of Davidson North Carolina.  
This Property was acquired by Grantor by an instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Davidson County.  
A map showing the property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Davidson County.  
The legal description of the Property is:

SEE ATTACHED EXHIBIT "A";

NO TITLE SEARCH WAS PERFORMED

TO HAVE AND TO HOLD the said Property and all privileges and appurtenances (rights) belonging to Grantee, in fee simple.

**Promises by Grantor:** Grantor promises (covenants) with Grantee, that Grantor has title to the Property in fee simple; has the right to convey the title in fee simple; that the title is marketable and free and clear of all liens and encumbrances (i.e. mortgages and judgments), and Grantor will warrant and defend the title against the lawful claims of all persons, except for the following exceptions:

- 1) Subject to all rights of way, easements and restrictions of record or visible on the premises.

Continued on Page 2

After recording mail to:  
Philip B. Lohr, Admin. CTA  
of the Estate of Moleta B. Fritts  
212 North State Street  
Lexington, NC 27292

Tax Parcel No:



Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Name:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Name:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Name:

By: \_\_\_\_\_

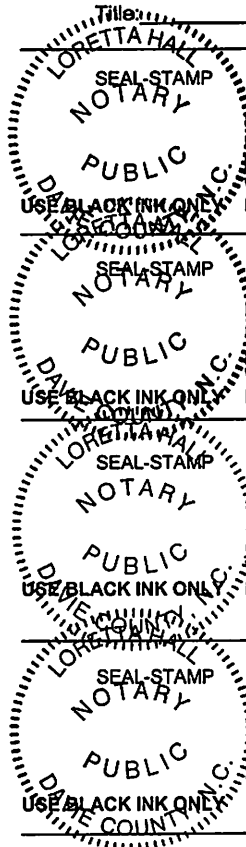
Title: \_\_\_\_\_

Evelyn F. Hayes (Seal)  
Evelyn F. Hayes

Evelyn F. Hayes, Trustee (Seal)  
Evelyn F. Hayes, Trustee

Carolyn F. Haden (Seal)  
Carolyn F. Haden

Carolyn F. Haden, Trustee (Seal)  
Carolyn F. Haden, Trustee



INDIVIDUAL

STATE OF North Carolina COUNTY OF Davidson  
I, a Notary Public of the County and State aforesaid, certify that Evelyn F. Hayes, Grantor, personally came before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 15 day of May, 2013.  
My Commission Expires: Aug. 7, 2014 Loretta Hall Notary Public

INDIVIDUAL

STATE OF North Carolina COUNTY OF Davidson  
I, a Notary Public of the County and State aforesaid, certify that Evelyn F. Hayes, Trustee, Grantor, personally came before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 15 day of May, 2013.  
My Commission Expires: Aug. 7, 2014 Loretta Hall Notary Public

INDIVIDUAL

STATE OF North Carolina COUNTY OF Davidson  
I, a Notary Public of the County and State aforesaid, certify that Carolyn F. Haden, Grantor, personally came before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 15 day of May, 2013.  
My Commission Expires: Aug. 7, 2014 Loretta Hall Notary Public

INDIVIDUAL

STATE OF North Carolina COUNTY OF Davidson  
I, a Notary Public of the County and State aforesaid, certify that Carolyn F. Haden, Trustee, Grantor, personally came before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 15 day of May, 2013.  
My Commission Expires: Aug. 7, 2014 Loretta Hall Notary Public

The foregoing Certificate(s) of \_\_\_\_\_

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By \_\_\_\_\_ - REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY  
Deputy/Assistant - Register of Deeds

**Exhibit "A"**

**Tract 1:** BEING Lots 181, 182, 183, 184, 185, 186, 187, and 188 as shown on plat of E.O. Cody property recorded in Plat Book 4, Page 45, Davidson County Registry.

Tract 1 is the identical property described in deed recorded in Book 134, Page 351, Davidson County Registry, and is shown on Lexington Township Tax Map 347B as Lots 181 through 118, inclusive.

**Tract 2:** BEGINNING at a point in the center of Fritts Street on the east line of E.O. Cody Subdivision Map recorded in Plat Book 4, Page 45; thence with said subdivision line North 3° 53' East 446.50 feet to a planted stone old corner; thence South 83° 19' East 595.11 feet to a stake corner to Tract 2; thence South 5° 24' West 479.30 feet to a point in the center of proposed 60.00 foot right-of-way; thence with the center of said right-of-way North 84° 36' West 429.33 feet to a point; thence North 67° 26' West 156.90 feet to the point of Beginning, containing 6.44 acres. Less and except 1.54 acres contained in the following 2 tracts previously sold referred to in Deed Book 288, Page 202 and Deed Book 303, Page 31. Subject to 30.00 feet of a 60.00 foot right of way. This conveyance being 4.90 acres.

Tract 2 is the identical property described as Tract 1 in Report of Commissioners recorded in Book 530, Page 417, Davidson County Registry and is shown on Lexington Township Tax Map 347, as Parcel 72.

Tracts 1 and 2 are conveyed subject to easements and rights of way for public utilities and public roadways existing of record or located upon the premises and there is excepted from said tracts any properties heretofore conveyed out of said tracts.

COPY

13

STATE OF NORTH CAROLINA  
COUNTY OF DAVIDSON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
BEFORE THE CLERK  
FILE NO: 17 SP 197

2017 MAY 17

DAVIDSON CO., C.S.C.

BY W

IN THE MATTER OF: PHILIP B. LOHR,  
ADMINISTRATOR CTA OF THE ESTATE OF  
MOLETA B. FRITTS,

Deceased.

ORDER TO  
SELL REAL ESTATE  
TO CREATE ASSETS

**THIS MATTER COMING ON TO BE HEARD AND BEING HEARD**

before the undersigned Clerk of Superior Court for Davidson County, North Carolina;  
and the Clerk having heard the evidence finds the following:

1.

That Moleta B. Fritts was a resident of Davidson County, North Carolina, who died on November 8, 2005 and your Petitioner was appointed Administrator CTA for her estate on April 17, 2013.

2.

That at the time of her death, Moleta B. Fritts left a Last Will and Testament which was probated in the Office of the Clerk of Superior Court for Davidson County, North Carolina.

3.

That after the Last Will and Testament of Moleta B. Fritts was probated, a Family Settlement Agreement was entered into by the heirs of Moleta B. Fritts and was approved by the Davidson County Clerk of Superior Court and by the Resident Superior Court Judge Mark E. Klass.

4.

Thereafter your Petitioner was appointed Administrator CTA for the Estate of Moleta B. Fritts on April 17, 2013.

5.

That your Petitioner was directed by an Order of this Court dated January 30, 2013 to conduct a sale of the real estate owned by the Estate of Moleta B. Fritts at either public or private sale, said sale to be subject to confirmation of the Court. Further your Petitioner was directed to reimburse the prior Co-Executrices for expenditures made by them on behalf of the estate in connection with the real estate.



6.

That pursuant to the Family Settlement Agreement dated February 6, 2006, the ownership of the below described property is as follows:

7.

That Carolyn Haden is a daughter and is unmarried, and has a 20% undivided interest in the below described property.

8.

That Rachel Shytle is a daughter and is unmarried, and has a 20% undivided interest in the below described property.

9.

That Evelyn Hayes is a daughter and is unmarried, and has a 20% undivided interest in the below described property.

10.

That Barry Stokes Fritts was a son of the decedent and would have had a 20% undivided interest in the below described property, however he passed away on April 27, 2015 (see Estate File No. 15 E 717 in the Office of the Clerk of Superior Court for Davidson County, North Carolina), leaving as his only heir, his son Anthony Mark Fritts who is divorced. Anthony Mark Fritts has a 20% undivided interest in the below described property.

11.

That Ray Lafayette Fritts, Sr. was a son of the decedent and would have had a 20% undivided interest in the below described property, however he passed away on December 15, 2009 (see Estate File No. 10 E 26 in the Office of the Clerk of Superior Court for Davidson County, North Carolina), leaving his heirs as follows:

- a) Martha Ray Fritts McDaniel, is divorced and has a 3.33% undivided interest.
- b) Theresa Fritts Westbrook, is a widow and has a 3.33% undivided interest.
- c) Frankie Hughes, is intermarried with Jimmy Hughes and has a 3.33% undivided interest.
- d) DeAnna Fritts Hodge, is intermarried with Kelvin Hodge and

has a 3.33% undivided interest.

e) Penny Perdue, passed away on October 11, 2016 (see Estate File No. 17 E 374 in the Office of the Clerk of Superior Court for Davidson County, North Carolina), leaving as her sole heir and Administrator, her husband Ronnie Perdue. The Estate of Penny Perdue has a 3.33% undivided interest.

f) Ray Lafayette Fritts, Jr., passed away on July 8, 2007 (see Estate File No. 07 E 665, in the Office of the Clerk of Superior Court for Davidson County, North Carolina), leaving as his only heir, his minor son Jacob Fritts. Jacob Fritts has a 3.33% undivided interest.

12.

That Moleta B. Fritts was the owner of the hereinafter described tracts of real property, said real property located in Lexington Township, Davidson County, North Carolina and being more particularly described as follows:

**Tract 1:** BEING Lots 181, 182, 183, 184, 185, 186, 187, and 188 as shown on plat of E.O. Cody property recorded in Plat Book 4, Page 45, Davidson County Registry.

Tract 1 is the identical property described in deed recorded in Book 134, Page 351, Davidson County Registry, and is shown on Lexington Township Tax Map 347B as Lots 181 through 188, inclusive.

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Tract 2 is the identical property described as Tract 1 in Report of Commissioners recorded in Book 530, Page 417, Davidson County Registry and is shown on Lexington Township Tax Map 347, as Parcel 72.

Tracts 1 and 2 are conveyed subject to easements and rights of way for public utilities and public roadways existing of record or located upon the premises and there is excepted from said tracts any properties heretofore conveyed out of said tracts.

13.

That there are bills due and owing in the estate, including court costs, attorney fees, realtor fees, and reimbursement of expenses pertaining to said real property to the prior Co-Executrixes.

14.

That at present there are minimal funds in this estate and there are no additional funds coming into the estate, other than as could be derived from the sale of the above real estate, with the exception of a small amount of monthly rent which would not be enough to cover the debts of the estate.

15.

That the above Petitioner pursuant to N.C.G.S. 28-A 15-1, determines that it would be in the best interest of the estate to sell the decedent's interest in the real property at private sale as per the Last Will and Testament of the decedent and as per the Family Settlement Agreement, and as per the Order of the Court dated January 30, 2013 and that the above-described tracts of land have a compiled tax valuation for Davidson County tax purposes in the amount of \$309,600.00

16.

That your Petitioner needs possession of the premises described above in order to promote the private sale of the property.

17.

That because Jacob Fritts is a minor child, he is in need of the protection of a Guardian Ad Litem to make sure that his best interests are protected in this proceeding.

**BASED UPON THE FOREGOING FINDINGS OF FACT, THE COURT  
MAKES THE FOLLOWING CONCLUSIONS OF LAW:**

1. That the interest of the decedent's estate would be materially promoted by such private sale.

**BASED UPON THE FOREGOING FINDINGS OF FACT AND THE  
CONCLUSIONS OF LAW IN ACCORDANCE WITH N.C.G.S. 35A-1301, IT IS  
ORDERED THAT PHILIP B. LOHR, ADMINISTRATOR CTA OF THE ESTATE  
OF MOLETA B. FRITTS, SELL THE INTEREST IN THE ABOVE DESCRIBED  
REAL PROPERTY LOCATED IN LEXINGTON TOWNSHIP, DAVIDSON  
COUNTY, NORTH CAROLINA.**



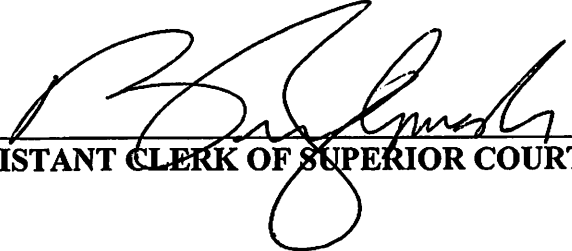
1. That said sale is to be private pursuant to the terms as provided by N.C.S.G. Chapter 1, Article 29A.

2. That Philip B. Lohr take possession of the decedent's interest in the above described tracts of land for the purpose of creating assets to pay bills.

3. That Philip B. Lohr shall continue to employ Libba Kennedy, Realtor with Coldwell Banker to assist in the sale of the property.

4. That the proceeds from the sale shall be applied to pay the expenses of the sale with the remaining funds after payment of all debts to be divided amongst the heirs according to their respective interest.

This the 15<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
ASSISTANT CLERK OF SUPERIOR COURT

NORTH CAROLINA  
DAVIDSON COUNTY

FILED  
DAVIDSON COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
BEFORE THE CLERK

FILE NO.: 05 E 1060

IN THE MATTER OF  
THE ESTATE OF:  
MOLETA B. FRITTS.  
Deceased

BY )  
)  
)  
)  
)

FAMILY SETTLEMENT AGREEMENT

THIS FAMILY SETTLEMENT AGREEMENT is made this 6<sup>th</sup> day of February, 2006, by and among CAROLYN F. HADEN and EVELYN F. HAYES, acting Individually and as Co- Executrices of the Estate of Moleta B. Fritts; Carolyn F. Haden and Evelyn F. Hayes, acting as Trustees for Barry S. Fritts; Carolyn F. Haden and Bob W. Bowers, acting as Trustees for Rachel F. Shytle; Ray L. Fritts, Individually, Barry S. Fritts, Individually; Rachel F. Shytle, Individually; Anthony Mark Fritts, Individually; and Jeffrey Shytle, Individually..

FACTUAL BACKGROUND

Moleta B. Fritts, a resident of Davidson County, North Carolina, died testate on November 8, 2005 at the age of 93. On November 6, 1984, Moleta B. Fritts executed her Last Will and Testament, which has been filed and probated in the Office of the Clerk of Superior Court for Davidson County. Carolyn F. Haden and Evelyn F. Hayes, daughters of Moleta B. Fritts, are named as Co-Executrices under the Will of Moleta B. Fritts and have been duly qualified and appointed as Co-Executrices of the Estate of Moleta B. Fritts by the Clerk of Superior Court for Davidson County.

Under the Will of Moleta B. Fritts, Carolyn F. Haden and Evelyn F. Hayes are named as Co-Trustees for Barry S. Fritts, son of Moleta B. Fritts, and Carolyn F. Haden and Bob W. Bowers are named as Co-Trustees for Rachel F. Shytle, daughter of Moleta B. Fritts.

Anthony Mark Fritts is the residuary beneficiary of the trust for Barry S. Fritts and Jeffrey Shytle, Carolyn F. Haden, Evelyn F. Hayes, Ray L. Fritts and Barry S. Fritts are the residuary beneficiaries of the trust for Rachel F. Shytle.

The Last Will and Testament of Moleta B. Fritts contains a specific devise of \$1,000.00 to Fairmont Presbyterian Church and a specific devise of \$500.00 to Chapter 98 of the Eastern Star and directs the Co-Executrices to sell all of the remaining real and tangible personal property in the estate and then distribute the proceeds of the sale and all other residuary property as follows:

1. 20 percent to Carolyn F. Haden
2. 20 percent to Evelyn F. Hayes
3. 20 percent to Ray L. Fritts
4. 20 percent to Carolyn F. Haden and Evelyn F. Hayes as Co-Trustees for Barry S. Fritts.
5. 20 percent to Carolyn F. Haden and Bob W. Bowers as Co-Trustees for Rachel F. Shytle

After executing her Last Will and Testament on November 6, 1984, Moleta B. Fritts executed a deed on November 8, 1999, recorded in Book 1159, Page 1274, Davidson County Registry, conveying all of her real property, consisting of a house and approximately 5 acres of land located on Fairview Drive in Lexington, North Carolina, to her daughters, Evelyn F. Hayes and Carolyn F. Haden, as Trustees.

#### STATUS OF THE ESTATE

The Preliminary Inventory filed by the Co-Executrices of the Estate indicates that the estimated market value of the assets of the estate is \$155,832.57, without including the real estate previously conveyed by the decedent to her daughters as Trustees, and \$275,972.57 if said real estate is included as an asset of the estate.

#### ISSUES IN CONTROVERSY

1. The deed executed by Moleta B. Fritts on November 8, 1999, conveying all of her real property to her daughters, Evelyn F. Hayes and Carolyn F. Haden, as Trustees does not identify a trust document or trust beneficiaries, and a question has arisen among the devisees under the Will of Moleta B. Fritts regarding ownership of the property and the proper disposition thereof.
2. At or about the same time that Moleta B. Fritts executed the deed conveying her real property to her daughters as Trustees on November 8, 1999, it is believed by the devisees under her will that she executed or intended to execute another will under which the trust provisions for the children, Barry S. Fritts and Rachel F. Shytle, were eliminated and all of her five children received an equal share of her estate outright in fee simple absolute, and a question has arisen among the devisees regarding the validity of the trust provisions contained in the Last Will and Testament of Moleta B. Fritts executed on November 6, 1984.

#### BASIS FOR SETTLEMENT

1. The parties to this Agreement recognize and acknowledge that the issues stated above constitute a bona fide controversy involving substantial monetary consequences in the administration of the Estate of Moleta B. Fritts.

2. The parties to the Agreement recognize and acknowledge that litigation to resolve the issues in controversy would result in substantial expenses to themselves and/or the estate and could significantly reduce the distributive share of all of the devisees and result in a lengthy delay in the settlement of the Estate of Moleta B. Fritts.
3. Additionally, the parties recognize and acknowledge that litigating the issues in controversy could place some or all of the children of Moleta B. Fritts in adversarial positions, which could be detrimental to the family relationship.

### TERMS OF SETTLEMENT

NOW, THEREFORE, in consideration of the mutual benefit of the parties to this agreement and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each of the parties from the other, and subject to the approval of the Court, the parties hereby agree as follows:

1. The Last Will and Testament of Moleta B. Fritts executed on November 6, 1984, which has been filed and probated in the Office of the Clerk of Superior Court shall be modified as follows:
  - (a) Under Paragraph FOURTH, all five of the decedent's children, Carolyn F. Haden, Evelyn F. Hayes, Ray L. Fritts, Barry S. Fritts and Rachel F. Shytle, shall receive equal shares of the residuary estate, outright and in fee simple absolute..
  - (b) Paragraphs FIFTH and SIXTH shall be eliminated.
2. The real property conveyed by the decedent to Evelyn F. Hayes and Carolyn F. Haden as Trustees by Deed dated November 8, 1999, recorded in Book 1159, Page 1274, Davidson County Registry, shall be included as an asset of the Estate of Moleta B. Fritts and shall be disposed of in accordance with Paragraph FOURTH of the Last Will and Testament of Moleta B. Fritts as modified herein.
3. Except as modified herein, the Estate of the decedent shall be distributed as provided under the Last Will and Testament of Moleta B. Fritts executed on November 6, 1984.

### RELEASE

All of the parties to this Agreement hereby agree for themselves, their heirs, personal representatives and assigns, that they accept the terms and provisions of this

Agreement and the distributions provided hereunder to them from the Estate of Moleta B. Fritts in full and final settlement of any claims which they now have or may have or discover in the future as heirs, devisees or persons entitled to take in any other capacity under the Estate of Moleta B. Fritts.

APPROVAL BY THE COURT

Immediately following the execution of this Agreement by all parties, it is agreed that this Family Settlement Agreement shall be submitted to the Senior Resident Judge of Superior Court for Davidson County for approval, and upon such approval, this Agreement shall become effective and binding upon all parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

ESTATE OF MOLETA B. FRITTS

By: Carolyn F. Haden (SEAL)  
Carolyn F. Haden, Co-Executrix

By: Evelyn F. Fritts (SEAL)  
Evelyn F. Fritts, Co-Executrix

Carolyn F. Haden (SEAL)  
Carolyn F. Haden, Individually

Evelyn F. Hayes (SEAL)  
Evelyn F. Hayes, Individually

Carolyn F. Haden (SEAL)  
Carolyn F. Haden, Trustee for Barry S. Fritts

Evelyn F. Hayes (SEAL)  
Evelyn F. Hayes, Trustee for Barry S. Fritts

Carolyn F. Haden (SEAL)  
Carolyn F. Haden, Trustee for  
Rachel F. Shytle

Bob W. Bowers (SEAL)  
Bob W. Bowers, Trustee for  
Rachel F. Shytle

Ray L. Fritts (SEAL)  
Ray L. Fritts, Individually



Barry S. Fritts (SEAL)  
Barry S. Fritts, Individually

Rachel F. Shytle (SEAL)  
Rachel F. Shytle, Individually

Anthony Mark Fritts (SEAL)  
Anthony Mark Fritts, Individually

Jeffrey Shytle (SEAL)  
Jeffrey Shytle, Individually

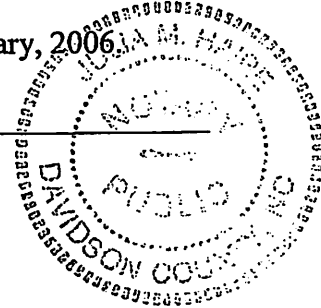
NORTH CAROLINA  
DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Carolyn F. Haden and Evelyn F. Fritts, Co-Executrices for the Estate of Moleta B. Fritts, personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 12th day of January, 2006.

Julia M. Haire  
NOTARY PUBLIC

My Commission Expires: July 30, 2006



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NORTH CAROLINA  
DAVIDSON COUNTY

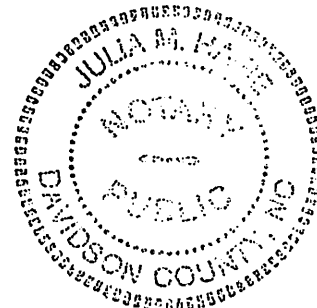
I, Notary Public for Davidson County, North Carolina, do hereby certify that Carolyn F. Haden, Individually, personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 12th day of January, 2006.

Julia M. Haire  
NOTARY PUBLIC

My Commission Expires: July 30, 2006

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NORTH CAROLINA  
DAVIDSON COUNTY

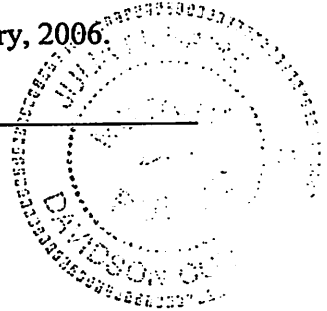
I, Notary Public for Davidson County, North Carolina, do hereby certify that Evelyn F. Hayes, Individually, personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 12<sup>th</sup> day of January, 2006.

Julia M. Hairie  
NOTARY PUBLIC

My Commission Expires: July 30, 2006

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NORTH CAROLINA  
DAVIDSON COUNTY

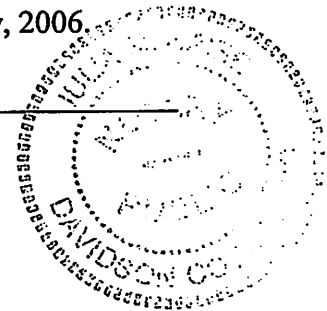
I, Notary Public for Davidson County, North Carolina, do hereby certify that Carolyn F. Haden and Evelyn F. Fritts, Co-Trustees for Barry S. Fritts personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 12<sup>th</sup> day of January, 2006.

Julia M. Hairie  
NOTARY PUBLIC

My Commission Expires: July 30, 2006

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NORTH CAROLINA  
DAVIDSON COUNTY

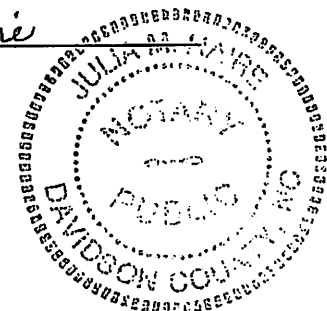
I, Notary Public for Davidson County, North Carolina, do hereby certify that Carolyn F. Haden Trustee for Rachel F. Shytle, personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 12<sup>th</sup> day of January, 2006.

Julia M. Hairie  
NOTARY PUBLIC

My Commission Expires: July 30, 2006

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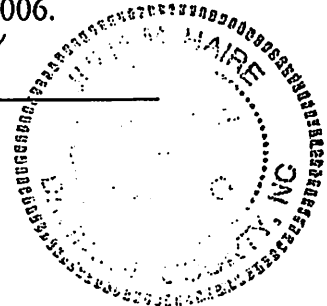


NORTH CAROLINA  
DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Bob W. Bowers, Trustee for Rachel F. Shytle personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 6<sup>th</sup> day of <sup>February</sup> January, 2006.

Julia M. Haire  
NOTARY PUBLIC



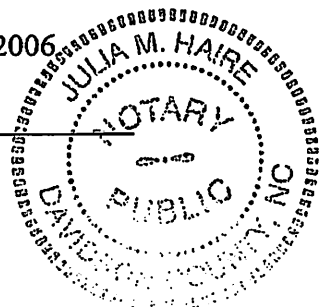
My Commission Expires: July 30, 2006

NORTH CAROLINA  
DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Ray L. Fritts, Individually personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 20<sup>th</sup> day of January, 2006

Julia M. Haire  
NOTARY PUBLIC



My Commission Expires: July 30, 2006

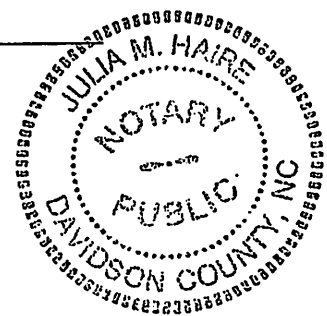
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NORTH CAROLINA  
DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Barry S. Fritts, Individually personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 3<sup>rd</sup> day of <sup>February</sup> January, 2006.

Julia M. Haire  
NOTARY PUBLIC



My Commission Expires: July 30, 2006

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NORTH CAROLINA  
DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Rachel F. Shytle, Individually personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 27<sup>th</sup> day of January, 2006.

Julia M. Haire  
NOTARY PUBLIC



My Commission Expires: July 30, 2006

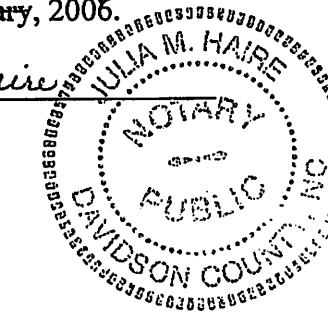
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DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Anthony Mark Fritts, Individually personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 3<sup>rd</sup> day of ~~January~~ <sup>February</sup>, 2006.

Julia M. Haire  
NOTARY PUBLIC



My Commission Expires: July 30, 2006

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DAVIDSON COUNTY

I, Notary Public for Davidson County, North Carolina, do hereby certify that Jeffrey Shytle, Individually, personally appeared before me and acknowledged the due execution of the Foregoing Family Settlement Agreement.

Witness my hand and notarial seal this 27<sup>th</sup> day of January, 2006.

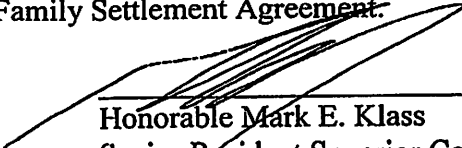
Mary R. Stithall  
NOTARY PUBLIC

My Commission Expires: 4/30/2006



**COURT APPROVAL**

The foregoing Family Settlement Agreement is hereby APPROVED and it is hereby ORDERED that the Estate of Moleta B. Fritts shall be distributed and administered in accordance with the Family Settlement Agreement.



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Honorable Mark E. Klass  
Senior Resident Superior Court Judge  
Twenty-Second Judicial District