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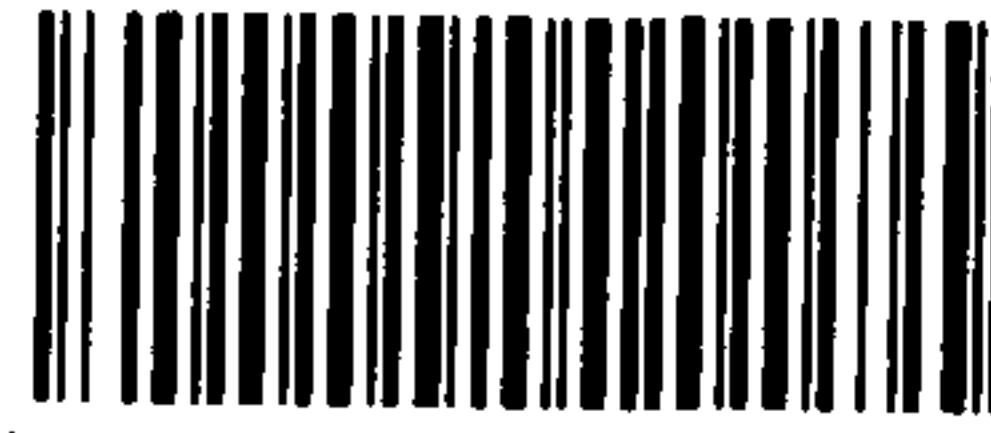
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COMMISSIONERS DEED

Fee \$26.00 Transfer Tax: \$170.00

666988



Lincoln County North Carolina
Danny R. Hester, Register of Deeds

26⁰⁰ (4)

Commissioner's Deed

Prepared by: Nodell, Glass & Haskell, LLP
✓
5540 Centerview Drive Suite 416
Raleigh, NC 27606
ENW.

NORTH CAROLINA

LINCOLN COUNTY

PIN # 3644-05-2826

Documentary Stamps - \$170.⁰⁰

THIS DEED, made this 10th day of May, 2023, by **Craig S. Haskell, Commissioner of Sale in Lincoln County, North Carolina, Grantor** and party of the first part, to **Members Trust Company, as Trustee of the Dennis A. Stroupe Revocable Trust, c/o SECU Trust Services, 801 Hillsborough Street, 4th Floor, Raleigh, NC 27603, Grantee** and party of the second part.

WITNESSETH:

THAT WHEREAS, on or about March 16, 2016, James Otis Adams executed and delivered a certain Promissory Note ("Note") and subsequently executed a certain Deed of Trust, conveying the lands hereinafter described, **which Deed of Trust is duly registered in the Office of the Register of Deeds of Lincoln County, North Carolina, in Book 2575, Page 60; and, said Deed of Trust being affirmed by that Default Judgment recorded at Book 3231, Page 298, Office of the Register of Deeds of Lincoln County, North Carolina; and,**

WHEREAS, there was default in payment of the indebtedness secured by said Note and Deed of Trust and the covenants and provisions therein contained, and after such default had continued for more than thirty days and on account of such default, the holder and owner of said Deed of Trust and Note secured thereby proceeded to judicially foreclose on said Deed of Trust and to sell the real estate therein conveyed and described in accordance with the authority conferred by said deeds of trust and by that Default Judgment referenced above; and,

WHEREAS, Members Trust Company, as Trustee of the Dennis A. Stroupe Revocable Trust, as Plaintiff and current holder of the Note and Deed of Trust, filed an action for Declaratory Judgment, Money Owed, and Judicial Foreclosure on November 30, 2022, in the General Court of Justice, Superior Court Division, Lincoln County, North Carolina, and known as Case Number 22 CVS 1430, and entitled Members Trust Company, a federally chartered thrift, with offices at State Employees' Credit Union, Raleigh, North Carolina as Trustee of the Dennis A. Stroupe Revocable Trust versus James Otis Adams; and,

WHEREAS, prior to the commencement of the above-referenced proceedings, all parties thereto entitled were served with a copy of a Complaint and Civil Summons in accordance with the law, and were afforded the opportunity to file an Answer or make some other form of appearance to the Court in order to raise any defense or objection to the judgment sought by the Plaintiff. Documentation of the Complaint, evidence of service, and all pertinent pleadings leading to the Default Judgment referenced above, appear in file number 22 CVS 1430 in the Office of the Clerk of Superior Court of Lincoln County, North Carolina; and

WHEREAS, upon motion of the Plaintiff, a Default Judgment was granted in favor of the Plaintiff and entered on February 9, 2023, affirming the underlying Deed of Trust, authorizing foreclosure, declaring that all proceeds from foreclosure sale be applied in payment of the amount due under the Note and Deed of Trust and authorizing public sale of the real property described herein; and

WHEREAS, pursuant to said Default Judgment authorizing public sale of real property, Craig S. Haskell was appointed Commissioner to conduct a public sale of the subject property; and

WHEREAS, upon application and request of the holder and owner of said Note and Deed of Trust and under and by virtue of the authority conferred by said Default Judgment, and in accordance with the terms and provisions of the same, and after due advertisement as stated in said Note and Deed of Trust and by law provided, to wit, once a week for two successive weeks immediately, preceding said sale, in The Lincoln Times News, a newspaper published in Lincoln County, North Carolina, the date of the last publication occurring within ten (10) days immediately preceding the originally scheduled sale, said sale postponed on such date when the said Craig S. Haskell, Commissioner, or his appointed agent, did on **April 4, 2023** at 11:00 a.m. on the steps of the Lincoln County Courthouse, in Lincolnton, North Carolina, expose to public sale the real estate hereinafter described, at which time and place said real estate was bid on by **Members Trust Company, as Trustee of the Dennis A. Stroupe Revocable Trust** in the amount of **\$84,528.90**; and,

WHEREAS, on April 4, 2023, report of said sale was duly filed in the Office of the Clerk of Superior Court of Lincoln County as shown in Civil Superior File Number 22 CVS 1430; and,

WHEREAS, said bid remained open for ten days from the date of the filing of said upset bid as required by law, and said bid was not raised and no objection was made to said sale; and,

WHEREAS, said purchaser has complied with the terms of said sale and said purchase price has been paid; and,

WHEREAS, an Order Confirming Public Sale of Real Property was entered on April 27, 2023; said Order authorized Craig S. Haskell, Commissioner, to execute and deliver a Deed for the subject property to **Members Trust Company, as Trustee of the Dennis A. Stroupe Revocable Trust**; and

NOW, THEREFORE, in consideration of the premises and the sum of \$84,528.90, paid to the party of the first part by the party of the second part, the receipt of which is hereby acknowledged, and under and by virtue and in execution of the power and authority by said Note and Deed of Trust conferred, and by said Default Judgment, the said Craig S. Haskell, Commissioner as aforesaid, does hereby bargain, sell and convey unto the said **Members Trust Company, as Trustee of the Dennis A. Stroupe Revocable Trust**, their successors and assigns, that certain tract or parcel of land lying and known as **834 Bethel Church Road, Lincolnton, North Carolina, Lincoln County, with Parcel ID# 3644-05-2826**, and more particularly described as follows:

BEING all that certain parcel of land situate, lying and being in Lincolnton Township, Lincoln County, North Carolina, and being more particularly described in accordance with a survey prepared by Gene Ross, Registered Surveyor, dated March 5, 1983.

BEGINNING at a control corner marker, in the center of N.C. Road No. 1282, a new corner of Grady Helms, said point being located North 66 deg. 30 min. West 110 feet from an old common corner of Grady Helms and Milas Beal; and runs from said Beginning point with the center of N.C. Road No. 1282 North 86 deg. 30 min. West 110 feet to a marker in the center of said road, another new corner with Grady Helms; thence three new lines in the lands of Grady Helms as follows: South 19 deg. 11 min. West (passing an iron stake on the right of way of the state road) 200 feet to an iron; thence South 66 deg. 30 min. East 110 feet to an iron, thence North 19 deg. 11 min. East (passing an iron on the right of way of N.C. Road No. 1282) 200 feet to the point of Beginning, containing 0.50 acres, more or less.

The foregoing is conveyed expressly subject to that portion of the right of way of N.C. Road No. 1282 that may lie within the above described property.

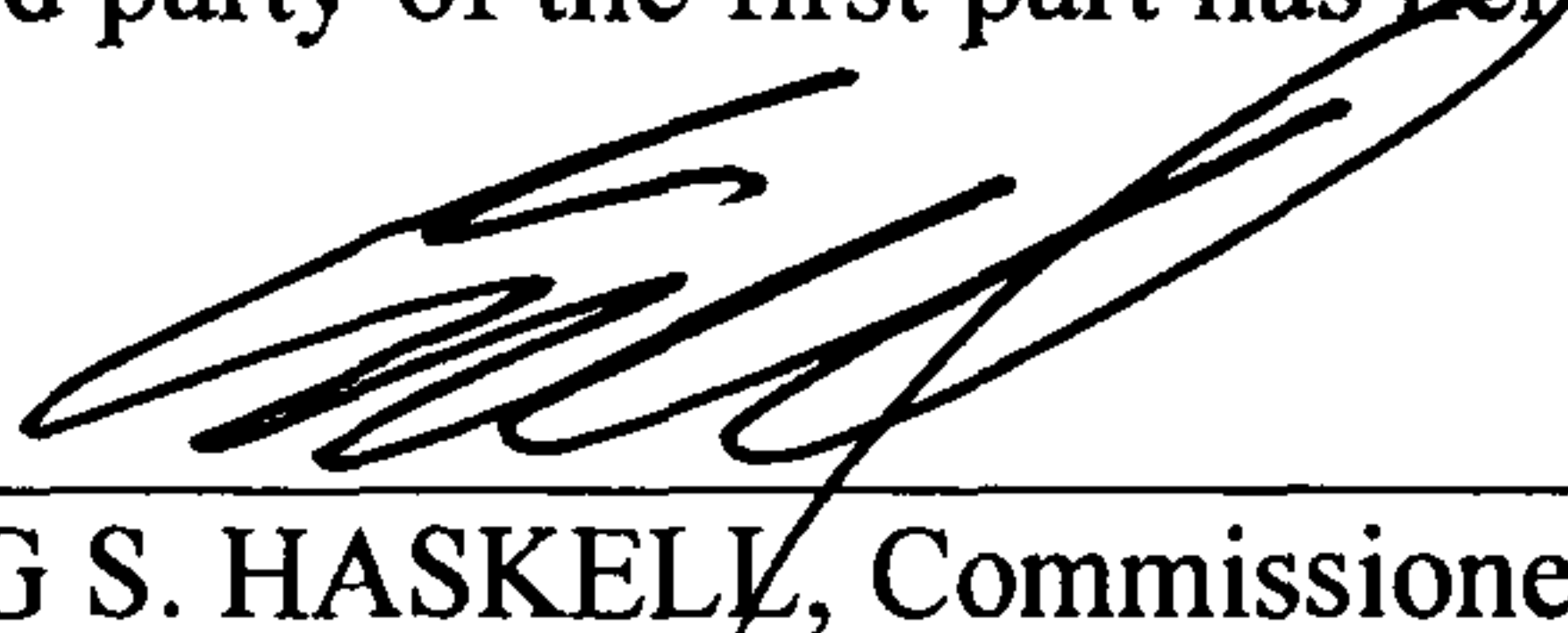
Parcel ID 3644-05-2826

Property Address: 834 Bethel Church Road, Lincolnton, NC

TO HAVE AND TO HOLD said lands and premises, all privileges and appurtenances thereto belonging unto said party of the second part, its successors and assigns, forever in as full and ample a

manner as the said Craig S. Haskell, Commissioner, as aforesaid is authorized and empowered to convey the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.


_____[SEAL]
CRAIG S. HASKELL, Commissioner

North Carolina
Wake County

I, Elena R. Spencer, a Notary Public for said County and State, do hereby certify that Craig S. Haskell, Commissioner, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th day of May, 2023.

ELENA R. SPENCER
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires July 18, 2026

Elena R. Spencer
Notary Public
My Commission Expires:
July 18, 2026