

Portion Tax Map No. 71(A)-1

THIS DEED, made and entered into this 24th day of May, 2002, by and between **Susan B. READ**, Substitute Trustee, party of the first part, (Grantor), **James W. HINTON** and **Carole H. HINTON**, husband and wife, party of the second part, (Grantees), whose address is 292 Foxfield Dr. Staunton VA 24401 and **Laura K. STUART**, Grantor for indexing purposes:

WITNESSETH:

WHEREAS, Laura K. Stuart by a certain Deed of Trust dated September 24, 1998, and recorded in the Clerk's Office of the Circuit Court of Highland County, Virginia, in Deed Book 111, Page 200, and by a certain Deed of Trust dated February 17, 1999, and recorded in the said Clerk's Office in Deed Book 112, Page 470 did convey unto Benham M. Black and N. Douglas Noland, Jr., Trustees, either of whom may act, certain real estate more particularly described hereinafter;

WHEREAS, Planters Bank & Trust Company of Virginia, owner and holder of the notes described in the aforesaid Deeds of Trust, by written designation dated March 14, 2000, of record in the Clerk's Office of the Circuit Court of Highland County, Virginia, in Deed Book 115, Page 515, designated Susan B. Read as Substitute Trustee in the place and stead of Benham M. Black, Trustee; and

WHEREAS, Planters Bank & Trust Company of Virginia, owner and holder of the notes described in the aforesaid Deeds of Trust, acting by and through its duly authorized agent, by reason of declared events of default under the terms of the Deeds of Trust,

instructed Susan B. Read, Substitute Trustee, to sell the property encumbered by the Deeds of Trust to pay the amount secured, due and unpaid under said notes; and

WHEREAS, the said Substitute Trustee, gave due notice by publication in the Daily News Leader, a newspaper of general circulation in the City of Staunton, Virginia, and Augusta County, Virginia, on April 7, 2002, April 14, 2002, April 21, 2002 and April 28, 2002, and by publication in the Recorder, a newspaper of general circulation in Highland County, on April 5, 2002, April 12, 2002, April 19, 2002, and April 26, 2002 that the property encumbered by the Deeds of Trust would be sold at public auction to the highest bidder or bidders at the entrance to the Highland County Circuit Courthouse, corner of Main Street and Spruce Street, Monterey, Virginia, on Friday, May 3, 2002, at the hour of 1:00 P.M.; and

WHEREAS, the said Substitute Trustee, gave Laura K. Stuart notice more than fourteen (14) days prior to said foreclosure by mailing a copy of the advertisement by regular mail and by certified mail, return receipt requested; and

WHEREAS, pursuant to the terms of the sale as stated in the said notice, on May 3, 2002, at 1:00 P.M., the Substitute Trustee did offer the property for sale at public auction to the highest bidder, in accordance with the said notice, and terms of said Deeds of Trust; and

WHEREAS, James W. Hinton submitted a bid in the amount of \$43,000.00, which bid was the highest bid submitted at the sale for Tract 1A and Susan B. Read, Substitute

Trustee, received a bidder's deposit for James W. Hinton of \$5,000.00 and has now received the balance of the purchase price.

NOW, THEREFORE, the parties of the first part, in order to carry into effect the sale so made as aforesaid, in consideration of the premises and the sum of \$43,000.00 so paid by the purchaser, the receipt of which is hereby acknowledged, and the purchaser having directed Susan B. Read, Substitute Trustee, to convey the hereinafter described property to James W. Hinton and Carole H. Hinton, parties of the second part, as evidenced by James W. Hinton joining in the execution of this Deed, Susan B. Read, Substitute Trustee, party of the first part, for herself and on behalf of Laura K. Stuart, party of the third part, does hereby grant, bargain, sell and convey with SPECIAL WARRANTY OF TITLE, unto James W. Hinton and Carole H. Hinton, husband and wife, parties of the second part, as tenants by the entirety with the right of survivorship as at common law, the following described real estate:

All that certain tract or parcel of land, in Stonewall District, Highland County, Virginia, located on the north side of Route 616, designated as Tract 1A containing 22.171 acres on a plat entitled "Plat of the Laura K. Stuart Properties, Stonewall District, Highland County, VA.," prepared by R.E. Funk, Land Surveyor, dated April 19, 2001, revised May 9, 2002, a copy of which is recorded in Clerk's Office of the Circuit Court of Highland County, Virginia in Plat Drawer Number 4.

This property is a portion of the property that was acquired by Weldon A. Stuart and Laura K. Stuart, his wife, as tenants by the entirety with right of survivorship as at common law by Deed of Exchange dated May 6, 1988, and recorded in the aforesaid Clerk's Office in Deed Book 83, Page 216. Weldon A. Stuart died intestate on August 31, 1991 as

evidenced by his List of Heirs recorded in Will Book 8, Page 741, thereby vesting title in Laura K. Stuart.

Reference is here made to said deed and plat and the references therein contained for a more particular description of the property hereby conveyed, as well as for further derivation of title.

This conveyance is made expressly to any easements, conditions or restrictions contained in any duly recorded instruments or plats in the chain of title to the property hereby conveyed, which have not expired by limitation of time contained therein or otherwise become ineffective.

WITNESS the following signature and seal.

[Signature] Sub. Trustee (SEAL)
Susan B. Read, Substitute Trustee

[Signature] (SEAL)
James W. Hinton

STATE OF VIRGINIA

CITY OF STAUNTON, to-wit:

The foregoing instrument was acknowledged before me this 31st day of May, 2002, by Susan B. Read, Substitute Trustee, in my jurisdiction as aforesaid.

My commission expires:

[Signature]
Notary Public, State of Virginia
At Large



LAW OFFICES
BLACK, NOLAND,
& READ, P.L.C.
STAUNTON, VIRGINIA
24402-1206

STATE OF VIRGINIA

CITY COUNTY OF Staunton, to-wit:

The foregoing instrument was acknowledged before me this 4th day of June, 2002, by James W. Hinton, in my jurisdiction as aforesaid.

My commission expires: 3/31/04

Rachel E. Williams
Notary Public, State of Virginia
At Large

INSTRUMENT #020000377
RECORDED IN THE CLERK'S OFFICE OF
COUNTY OF HIGHLAND ON
JUNE 7, 2002 AT 09:35AM
\$43.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$21.50 LOCAL: \$21.50
SUE K. DUDLEY, CLERK

BY: Alicia Falke (DC)

This instrument was
delivered by hand
to Melissa Dowd
of Monterey
on 06/07/02

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