

**ROCKINGHAM COUNTY**  
**Chaz W. Evans-Haywood**  
**CLERK OF COURT**  
**Harrisonburg, VA 22801**



60 2011 00005515

**Instrument Number: 2011- 00005515**

As

**Trustee's Deed**

**Recorded On: March 04, 2011**

**Parties: PRESTON LAKE HOMES**

To

**SOUTHERN CLASSIC INC**

**Recorded By: WILLIAM K LEWIS**

**Num Of Pages: 5**

**Comment: PARCEL CENTRAL**

**\*\* Examined and Charged as Follows: \*\***

|                                |                 |                     |         |                        |                             |
|--------------------------------|-----------------|---------------------|---------|------------------------|-----------------------------|
| Trustee's Deed                 | 6.50            | 10 or Fewer Pages   | 14.50   | Deed Processing Fee    | 20.00                       |
| Open Space Preservation County | 1.00            | Transfer Fee County | 1.00    |                        |                             |
| <b>Recording Charge:</b>       | <b>43.00</b>    |                     |         |                        |                             |
|                                |                 | Consideration       |         |                        |                             |
|                                | Tax Amount      | Amount              | RS#/CS# |                        |                             |
| Transfer Tax Grantee           | 1,507.00        | 452,100.00          |         | State Grantor Tax      | 0.00 214 Grantee City Tax   |
|                                |                 |                     |         | State Grantee Tax      | 1,130.25 220 Grantor County |
|                                |                 |                     |         | 213 Grantee County Tax | 376.75 223 Grantor City     |
| Transfer Tax Grantor           | 277.00          | 276,800.00          |         | State Grantor Tax      | 138.50 214 Grantee City Tax |
|                                |                 |                     |         | State Grantee Tax      | 0.00 220 Grantor County     |
|                                |                 |                     |         | 213 Grantee County Tax | 0.00 223 Grantor City       |
| <b>Tax Charge:</b>             | <b>1,784.00</b> |                     |         |                        |                             |

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

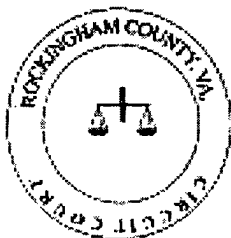
I hereby certify that the within and foregoing was recorded in the Register of Deeds Office For: **ROCKINGHAM COUNTY, VA**

**File Information:**

**Record and Return To:**

Document Number: 2011- 00005515  
 Receipt Number: 194298  
 Recorded Date/Time: March 04, 2011 10:49:15A  
 Book-Vol/Pg: Bk-OR VI-3845 Pg-645  
 Cashier / Station: K Brooks / Cash Station 2

WILLIAM K LEWIS  
 701 E FRANKLIN ST SUITE 1200  
 RICHMOND VA 23219



THE STATE OF VIRGINIA }  
 COUNTY OF ROCKINGHAM }

I certify that the document to which this authentication is affixed is a true copy of a record in the Rockingham County Circuit Court Clerk's Office and that I am the custodian of that record

*Chaz W. Evans-Haywood*  
 Chaz W. Evans-Haywood, Clerk of Court

CLERK OF COURT  
 ROCKINGHAM COUNTY, VIRGINIA

Doc Bk Vol Pg # of Pgs  
00005515 OR 3845 645 5

Mar 04, 2011  
**SUBSTITUTE TRUSTEE'S DEED**

THIS IS A SUBSTITUTE TRUSTEE'S DEED dated as of February 3, 2011, by WILLIAM K. LEWIS, SUBSTITUTE TRUSTEE ("Trustee"), to SOUTHERN CLASSIC, INC., a Virginia corporation ("Grantee"), and PRESTON LAKE HOMES, LLC, a Virginia limited liability company ("Owner"), unwilling party, grantor for indexing purposes.

By Deed of Trust, Assignment of Rents and Security Agreement from Owner to TRSTE, Inc., a Virginia corporation (the "Original Trustee"), dated July 10, 2006, recorded July 10, 2006 in the Clerk's Office of the Circuit Court of Rockingham County, Virginia (the "Clerk's Office"), in Deed Book 2898, page 707, as amended by First Modification Agreement to Credit Line Deed of Trust dated January 10, 2007, recorded January 11, 2007 in the Clerk's Office in Deed Book 3018, page 362, the real estate described in Exhibit A attached hereto and incorporated herein by this reference (the "Real Estate"), together with certain other real property, was conveyed to the Original Trustee to secure the payment of a (i) Promissory Note payable to Wachovia Bank, National Association, a national banking association ("Wachovia"), in the original principal sum of \$10,500,000.00 and (ii) a Promissory Note payable to Wachovia in the original principal sum of \$10,000,000.00 (the "Notes").

By Appointment of Substitute Trustee recorded in the Clerk's Office on December 16, 2009, in Deed Book 3637, page 243, Wachovia appointed William K. Lewis and Sam T. Beale, Substitute Trustees, either of whom may act, with full power to act under the Deed of Trust.


There was a default in the payment of the indebtedness evidenced by the Notes and Wells Fargo Bank, National Association, a national banking association, successor by merger to Wachovia ("Noteholder"), as the sole owner and legal holder of the Notes and the beneficiary under the Deed

of Trust, directed Trustee to collect the indebtedness in full or sell the Real Estate at public auction. Trustee, in accordance with the provisions of the Deed of Trust and applicable law, gave notice of the time, place and terms of sale by advertisement in the *Daily News-Record*, a newspaper of general circulation in Rockingham County, Virginia, on January 19, 20 and 21, 2011, and offered the Real Estate for sale at public auction on February 3, 2011, at 12:00 o'clock noon at the entrance to the Rockingham County Circuit Court located at Court Square, Harrisonburg, Virginia 22801.

At the sale, Noteholder became the purchaser of the Real Estate with credit bids of \$39,960.00 for Lot 10B; \$157,760.00 for Lot 11C ; and \$79,080.00 for Lot 12C, such bids being the highest bids received, and thereafter assigned its right to purchase the Real Estate to Grantee.

ACCORDINGLY, in consideration of the sum of \$276,800.00, the receipt of which is hereby acknowledged, Trustee grants, bargains, sells and conveys to Grantee, with Special Warranty, the Real Estate.

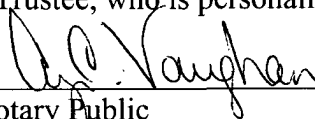
This conveyance is made subject to all easements, conditions, restrictions, liens, leases, and agreements applicable to the Real Estate, if any, having priority over the Deed of Trust.



\_\_\_\_\_  
William K. Lewis, Substitute Trustee

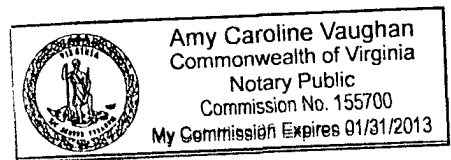
COMMONWEALTH OF VIRGINIA  
CITY OF RICHMOND, to wit:

The foregoing instrument was acknowledged in my presence this 3<sup>rd</sup> day of March, 2011, by William K. Lewis, Substitute Trustee, who is personally known to me.



\_\_\_\_\_  
Notary Public

My Commission Expires:  
Registration Number:



Parcel Number: 125A-3-10B, 125A-3-11C, 125A-3-12C

**PREPARED BY:**

William K. Lewis, Esquire  
701 E. Franklin Street, Suite 1200  
Richmond, Virginia 23219

Title Insurance Provided By: Old Republic National Title Insurance Company

**SUBSTITUTE TRUSTEE'S DEED**

**GRANTOR:** WILLIAM K. LEWIS, SUBSTITUTE TRUSTEE

**GRANTEE:** SOUTHERN CLASSIC, INC., a Virginia corporation

**GRANTEE'S ADDRESS:** SOUTHERN CLASSIC, INC.  
POST OFFICE BOX 248  
CROZET, VIRGINIA 22932

**ASSESSED VALUE:** \$452,100.00

**CONSIDERATION:** \$276,800.00

**PROPERTY:** LOT 10B, SECTION 1, PRESTON LAKE  
3372 CHARLESTON BOULEVARD  
  
LOT 11C, SECTION 1, PRESTON LAKE  
3309 PRESTON SHORE DRIVE  
  
LOT 12C, SECTION 1, PRESTON LAKE  
3273 PRESTON SHORE DRIVE  
  
ROCKINGHAM COUNTY, VIRGINIA

## **Exhibit A**

### **Lot 10B**

All that certain lot or parcel of land, together with any improvements thereon, and all rights, privileges, easements, appurtenances and rights of way thereunto belonging or in anywise appertaining, situate at 3372 Charleston Boulevard in Central District, Rockingham County, Virginia and being known and designated as Lot 10B on plat by Hal T. Benner, L.S., dated April 2, 2007, entitled "Preston Lake, Section 1, Central District, Rockingham County, Virginia, April 2, 2007", said plat and owner's consent and dedication being recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia (the "Clerk's Office") in Deed Book 3095, page 163.

### **Lot 11C**

All that certain lot or parcel of land, together with any improvements thereon, and all rights, privileges, easements, appurtenances and rights of way thereunto belonging or in anywise appertaining, situate at 3309 Preston Shore Drive in Central District, Rockingham County, Virginia and being known and designated as Lot 11C on plat by Hal T. Benner, L.S., dated April 2, 2007, entitled "Preston Lake, Section 1, Central District, Rockingham County, Virginia, April 2, 2007", said plat and owner's consent and dedication being recorded in the Clerk's Office in Deed Book 3095, page 163.

### **Lot 12 C**

All that certain lot or parcel of land, together with any improvements thereon, and all rights, privileges, easements, appurtenances and rights of way thereunto belonging or in anywise appertaining, situate at 3273 Preston Shore Drive in Central District, Rockingham County, Virginia and being known and designated as Lot 12C on plat by Hal T. Benner, L.S., dated April 2, 2007, entitled "Preston Lake, Section 1, Central District, Rockingham County, Virginia, April 2, 2007", said plat and owner's consent and dedication being recorded in the Clerk's Office in Deed Book 3095, page 163.

BEING a portion of the real estate conveyed to Preston Lake Homes, LLC, a Virginia limited liability company, by deed from Preston Heights Corp., a Virginia corporation, dated June 29, 2006, recorded July 10, 2006, in the Clerk's Office in Deed Book 2898, page 701.