

NORTH CAROLINA)
)
FORSYTH COUNTY)

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
11 E 1940

IN THE MATTER OF THE ESTATE OF)
ELMER RAY COOPER,)
Deceased.)

NOTICE OF SALE

Under and by virtue of the authority of sale as contained in the Will and Codicil of the late Elmer Ray Cooper dated the 22nd day of September, 1995 and the 13th day of February, 2007, the undersigned, Wesley Bailey and Henry P. Van Hoy, Co-Administrators CTA of the Estate of Elmer Ray Cooper will offer for sale at public auction to the highest bidder the properties listed below at the time and places indicated in **“AS IS “ condition and subject to a ten day upset bid process described hereinafter and conditions as listed below.** The highest bidders will be required to make a ten (10%) good faith deposit on the day of the sale. (Open house on the properties 11:00am to 2:00pm, November 15, 2011, November 22, 2011, November 29, 2011 and December 7, 2011, occupied units may not be accessible.)

TRACT One
AT THE PREMISES
116 South Marshall Street
December 7, 2011 at 12:00 noon

BEGINNING at a right-of-way marker located in the Western right-of-way line of the access ramp leading from Marshall Street to Interstate 40, said right-of-way marker being the Southeastern corner of the within described tract; thence from said beginning point, South 87° 39' 04" West 91.59 feet to an iron; thence North 2° 14' 54" West 105.06 feet to an iron; thence North 87° 16' 15" East 102.07 feet to an iron in the Western right-of-way line of Marshall Street; thence along the Western right-of-way line of Marshall Street, the two following courses and distances; South 2° 30' 00" East 65.18 feet to an iron and South 12° 36' 12" West 41.98 feet to the point and place of Beginning and being Lots 201 and 202, Block 71 Forsyth County Tax Maps as presently constituted, all according to survey of Harris E. Gupton, dated June 2, 1977.

This property contains a two-story apartment building.

TRACT Two
AT THE PREMISES
1042 Thurmond Street
December 7, 2011 at 1:00pm

BEING known and designated as Lot 40 as shown on the map of Chatham Heights, recorded in Plat book 10 at page 160 (2), in the Office of the Register of Deeds of Forsyth County, North Carolina, reference to which map is hereby made for a more particular description.

This property contains a residential rental house.

TRACT Three
AT THE PREMISES
241 Hedgecock Avenue
December 7, 2011 at 2:00pm

BEGINNING at an iron stake on the east side of Hedgecock Avenue, the southwest corner of Lot 19; running thence Eastwardly 303.5 feet to an iron stake, the southeast corner of Lot 19; thence Southwardly 91 feet to an iron stake; thence Westwardly 302 feet to an iron stake on the east side of Hedgecock Avenue; thence Northwardly along the east side of Hedgecock Avenue 91 feet to the place of beginning, being known and designated as the northern portion of Lot 20 of W. M. Hedgecock Development, recorded in the office of the Register of Deeds of Forsyth County, Plat Book 3, page 81. See second part of deed as recorded in the office of the Register of Deeds of Forsyth County, Deed Book 463, page 203.

This property contains a residential house which is occupied.

These properties are sold subject to the following terms and conditions:

1. The sales on the 7th day of December, 2011, will remain open for an upset bid for a period of ten (10) days following the sale. Any upset bid must be in an amount which increases the bid by five percent (5%) and a certified check in the amount of five percent (5%) of the upset bid made payable to the Estate of Elmer Ray Cooper, and delivered to the office of Bailey & Thomas, PA, attorneys at 3069 Trenwest Drive, Suite 100, Winston-Salem, NC 27103 on or before 5:00 p.m. on the 17th day of December, 2011. If there is an upset bid, the upset bid will also be subject the upset bid process. (Inasmuch as the 17th day of December 2011, falls on a Saturday the upset period will be extended until 5:00pm on Monday, December 19, 2011.) If that bid is upset, the bid process will remain open for an additional ten days following the date of the upset bid for a bid in an amount which increases the existing bid by five percent with a certified check being deposited with the Estate of Elmer Ray Cooper as set forth above. This process of upset bids shall continue until such time as there is a bid that is not upset within a ten (10) day period. The final bid will be subject to confirmation by the Co-Administrators CTA. Any and all

assessments against the property thru 2011 will be paid from the proceeds of the sale. The property taxes due for the year 2012 will be prorated.

2. The property and improvements thereon are sold in “**AS IS**” condition.

3. The property located at 116 S. Marshall Street and 1042 Thurmond Street is sold subject to the one existing tenant who is now on a month- to-month rental basis. The property located at 241 Hedgecock Avenue will be subject to a thirty (30) day notice to vacate the premises following confirmation of sale.

4. Any other conditions announced at the sale.

5. For further information go to baileyandthomaspa.com.

This the _____ of _____, 2011.

ESTATE OF ELMER RAY COOPER

By: _____
Wesley Bailey, Co-Administrator CTA
3069 Trenwest Drive, Suite 100
Winston-Salem, NC 27103
336/725-8366

By: _____
Henry P. Van Hoy, Co-Administrator CTA
Ten Court Square
Mocksville, NC 27028
336/751-2171