

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

File No. 81 SP 147  
**STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD  
IN THE MATTER OF:**

The Foreclosure of a Deed of Trust executed by Thomas Werner, Unmarried, and recorded in Deed of Trust Book 244 at Page 537, Rutherford County Registry, by John S. Stevens, Trustee.

Deed of Trust also recorded in Deed of Trust Book 313 at Page 863, Henderson County Registry, and Deed of Trust Book 167 at Page 1701, Polk County Registry.

**NOTICE OF SALE**

Notice is hereby given that under and by virtue of the power of sale contained in the deed of trust executed January 1, 1977, by Thomas Werner, Unmarried, to John S. Stevens, Trustee for Elizabeth A. Anderson, in the original amount of One Hundred Thousand (\$100,000.00) Dollars, recorded in the Office of the Register of Deeds of Rutherford County, North Carolina, in Deed of Trust Book 244 at Page 527, and also recorded in the Office of the Register of Deeds of Henderson County, North Carolina, in Deed of Trust Book 313 at Page 863, and in the Office of the Register of Deeds of Polk County, North Carolina, in Deed of Trust Book 167 at Page 1701, default having been made in the payment of the indebtedness thereby secured by the said deed of trust, Elizabeth A. Anderson having made demand for sale and a proper hearing having been held before the Clerk of Superior Court of Rutherford County on the 29th day of June, 1981, and the Clerk having found that the Trustee may proceed under the instrument, the undersigned Trustee will offer for sale at public auction the following tract of land:

BEING that certain tract of land lying primarily in Chimney Rock Township of Rutherford County, but also lying in Green River Township of Polk County and Edneyville Township of Henderson County, believed to contain in excess of 1,000 acres, and lying on the waters of Wolf Creek and Pool Creek and lying to the South of the Bottomless Pools Property now or formerly owned by Lee Powers, and also South and East of other properties of Thomas Werner, and to the East of properties now or formerly owned by J.C.

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Patrick, G. Laughter, J.A. Hooks and others, and being traversed by Pools Creek Road and Old Judes Gap Road, a more particular description of the tract of land being contained in that certain deed of trust from Thomas Werner, Unmarried, to the undersigned, John S. Stevens, Trustee for Elizabeth A. Anderson, which is dated January 1, 1977, and which is recorded in Deed of Trust Book 255 at Page 537, Rutherford County Registry, Deed of Trust Book 313 at Page 863, Henderson County Registry, and Deed of Trust Book 167 at Page 1701, Polk County Registry, which description is herein incorporated by reference.

There is excepted from the tract to be conveyed those tracts, roads, cartways, and water rights and utility rights more specifically excepted in the above referred to deed of trust.

Together with all and singular the tenements, hereditaments, building, structures, and other improvements, fixtures, equipment, minerals, emblems, and other articles of personal property, and to the remainder, rents, issues, and profits of the grantor of, in and to the same and every part and parcel thereof and located thereon or used in connection with the operation and maintenance of the improvements situate thereon.

Said public auction will be held on Friday, August 14, 1981, at 12:00 o'clock Noon, at the Courthouse door of the Rutherford County Courthouse, in Rutherford, North Carolina.

Said property is to be sold for cash subject to taxes, water rents, and assessments, if any, and to any other prior encumbrances of record. At the time of the foreclosure sale, the highest bidder will be required to make a deposit in the amount of ten (10%) percent of the purchase price in accordance with the General Statutes of North Carolina.

This the 16th day of July, 1981  
John S. Stevens, Trustee  
P. O. Box 7146

Asheville, N. C. 28804  
704-258-3986

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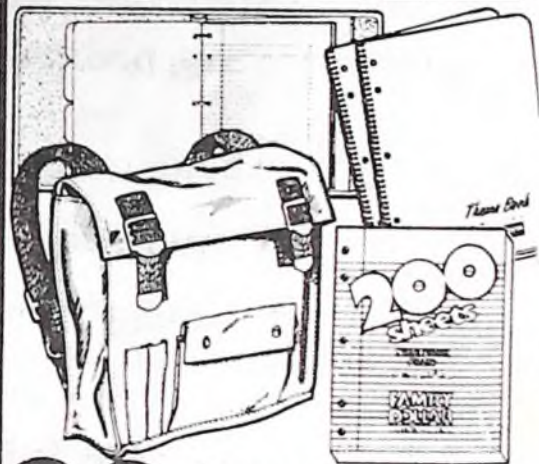
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