

Point of Beginning. Thence from the True POINT OF BEGINNING as thus established, South 55° 20' 48" East 282.68 feet to a new iron pin (placed); thence South 13° 12' 02" West 314.87 feet to a new iron pin (placed); thence North 81° 17' 30" West 273.94 feet to an existing iron pin located in the Southeasterly right-of-way of Burke Road; thence North 80° 53' 49" West 30.74 feet to a bent existing iron pin in the right of way of Burke Road (said bent pin being the following courses and distances from a rebar found on the Northwesterly right-of-way of Burke Road: South 81° 26' 16" East 38.11 feet to a railroad spike; and South 82° 03' 31" East 18.74 feet to said pin), said pin also being located North 39° 20' 33" East 228.97 feet from a pk nail in the intersection of South Patterson Road and Burke Road; thence with the center of Burke Road the following three (3) courses and distances: North 18° 18' 34" East 199.85 feet to a railroad spike; North 18° 17' 18" East 131.90 feet to railroad spike; and North 18° 55' 32" East 112.03 feet to a railroad spike, the POINT OF BEGINNING. Said property being depicted as 2.486 acres on that plat of Survey for Plastic Oddities, Inc., dated June 7, 2000, prepared by D. Dobbins Lattimore, Professional Land Surveyor Seal No. L-3336, for Lattimore & Peier Surveying, and designated as Drawing No. 00-191A, which reference is made here-to in order to incorporate the survey as a part of this legal description. Said property is a portion of those tracts conveyed to Plastic Oddities, Inc. by virtue of the following deeds recorded in the Register of Deeds of Cleveland County, North Carolina: Deed Book 17-R, Page 204, Deed Book 18-Q, Page 156, and Deed Book 1038, Page 215. The above-described real property will be sold "AS IS, WHERE

IS." Neither the Substitute Trustee nor the holder of the note secured by the deed of trust being foreclosed nor the officers, directors, attorneys, employees, agents or authorized representatives of either the Substitute Trustee or the holder of the note make any representation or warranty relating to the title or any physical, environmental, health or safety conditions existing in, on, at or relating to the real property being sold, and any and all responsibilities or liabilities arising out of or in any way relating to any such conditions expressly are disclaimed. The record owner of the above-described real property as reflected on the records of the Cleveland County Register of Deeds not more than ten (10) days prior to the posting of this notice is Plastic Oddities, Inc. Pursuant to North Carolina General Statute Section 45-21.10(b), any successful bidder may be required to deposit with the Substitute Trustee immediately upon conclusion of the sale a cash deposit of the greater of five percent (5%) of the last bid or \$750.00. Any successful bidder shall be required to tender the full balance purchase price so bid in cash or certified check at the time the Substitute Trustee tenders to him a deed for the property or attempts to tender said deed, and should said successful bidder fail to pay the full balance purchase price so bid at that time, he shall remain liable on his bid as provided for in North Carolina General Statutes §45-21.30(d) and (e). The owner and holder of the indebtedness secured by the Deed of Trust may make a credit bid. This sale will be held open ten (10) days for upset bids as required by law. This the 13th day of August, 2003. James Christian Stevenson, Substitute Trustee Helms Mulliss & Wicker, PLLC 201 North Tryon Street Charlotte, North

Carolina 28202 Telephone: (704) 343-2000 Facsimile: (704) 343-2300 KMH 2704 (9:25; 10:2)

**ADMINISTRATOR-EXECUTOR'S NOTICE**

Having qualified on the 23rd day of September, 2003, as Executrix of the Estate of Hughlen M. Miller, deceased, late of Cleveland County, North Carolina, this is to notify all persons, firms and corporations having claims against the decedent to exhibit them to the undersigned Angela P. Dover, Executrix on or before the 2nd day of January, 2004, or this notice will be pleaded in bar of their recovery. All persons, firms and corporations indebted to the estate should make immediate payment. This the 2nd day of October, 2003. Angela P. Dover Estate of Hughlen M. Miller 204 Walker Street Kings Mtn., N.C. 28086 KMH 2726 (10:2, 9, 16, 23)

**NOTICE OF AUCTION OF MUNICIPALLY OWNED PERSONAL PROPERTY FOR THE CITY OF KINGS MOUNTAIN**

The following City Personal Property is to be auctioned off by Carlos McLean Auction Company at the Public Works Building (Cherryville Hwy) 1013 N. Piedmont Ave. on Saturday, October 11, 2003 at 9:00AM.

9 Vehicles, Trailer, Generator, Tamping Rammer, Chain Saws, Vulcan Stove, Hot Point Oven, Oven Hood, Playground Equipment, Misc. Office Equipment, Misc. Furniture, Misc. Supplies, & Misc. Computer and Electronic Equipment, Misc. Lawn and Garden Equipment, Misc. Telephone Equipment, and Misc. Communication Equipment.

For additional information and a detail listing of items please

contact Cathy Herring at 704-734-4608. KMH 2728 (10:2)

**STATE OF NORTH CAROLINA COUNTY OF CLEVELAND IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK 03 SP 328 IN THE MATTER OF THE FORECLOSURE OF A DEED OF TRUST FROM ISAAC W. JOHNSON, TO CB SERVICES CORP., TRUSTEE, DATED OCTOBER 18, 1996, RECORDED IN BOOK 1187, PAGE 2159, CLEVELAND COUNTY REGISTRY NOTICE OF FORECLOSURE SALE**

Pursuant to an order entered September 16, 2003, in the Superior Court of Cleveland County, and the power of sale contained in the captioned deed of trust (the "Deed of Trust"), the undersigned Substitute Trustee will offer for sale at auction, to the highest bidder for cash,

**AT THE COURTHOUSE DOOR IN SHELBY, CLEVELAND COUNTY, NORTH CAROLINA ON OCTOBER 16, 2003, AT 12:00 NOON**

the real estate and the improvements thereon secured by the Deed of Trust, less and except any of such property released from the lieu of the deed of trust prior to the date of said sale, lying and being in Cleveland County, North Carolina, and being more particularly described as follows:

Located in the City of Shelby and being all of Lot #1 of the "Roy Newman Property" as the same is shown by a map thereof recorded in Plat Book 2 at page 42 of the Cleveland County, North Carolina Public Registry, the said lot being the same property conveyed to the Grantor by that cer-

tain deed recorded in Book 19-K at page 316 of the Cleveland County, North Carolina Public Registry.

The record owner(s) of the real property not more than ten days prior to the date hereof are Isaac W. Johnson.

A five percent cash deposit, or cash deposit of \$750.00, whichever is greater, will be required of the last and highest bidder. The balance of the bid purchase price shall be due in full in cash or certified funds at closing to take place within thirty (30) days of the date of sale. The undersigned Substitute Trustee shall convey title to the property by nonwarranty deed.

The sale will be made subject to all prior liens of record, if any, and to all unpaid ad valorem taxes and special assessments, if any, which became a lien subsequent to the recording of the Deed of Trust. This sale will be further subject to the right, if any, of the United States of America to redeem the above-described property for a period of 120 days following the date when the final upset bid period has run.

The purchase of the property described above shall pay the Clerk's Commissions in the amount of \$.45 per \$100.00 of the purchase price (up to a maximum of \$300.00),

required by NCGS §7A-308(a)(1).

This 16th day of September, 2003. SPRULLCO, LTD., Substitute Trustee By: David M. Warren Vice President P.O. Box Drawer 353 Rocky Mount, N.C. 27802-0353 Telephone: 252-972-7067 KMH 2727 (10:2, 9)

**NORTH CAROLINA CLEVELAND COUNTY IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION 02 CVD 427 NOTICE OF SERVICE OF PROCESS BY PUBLICATION PREMIER FEDERAL CREDIT UNION, Plaintiff, v. ROSIE MAE WATKINS Defendant. TO: ROSIE MAE WATKINS**

TAKE NOTICE that a pleading seeking relief against you has been filed in the above-entitled action. The nature of the relief being sought is as follows:

Plaintiff seeks to recover from the Defendant the sum of \$7,413.79, plus interest at a rate of 9.5% per annum from February 7, 2002 to the date of

judgment and thereafter at the maximum rate allowed by law, Plaintiff's attorneys' fees in the amount of 15% of the costs of this action, and such further relief as the Court deems just and proper.

You are required to make defense to such pleading not later than the 11th day of November, 2003, said date being 40 days from the first publication of this notice; and upon your failure to do so the Plaintiff will apply to the Court for the relief sought.

This, the 2nd day of October, 2003. Reginald F. Combs OF COUNSEL: BLANCO T A C K A B E R Y, COMBS & MATAMOROS, P.A. Post Office Drawer 25008 Winston-Salem, NC 27114-5008 Telephone:

(336) 293-9000 KMH 2729 (10:2, 9, 16)

**NOTICE OF SALE OF PERSONAL PROPERTY**

On Thursday, the 16th day of October at exactly 12:00 NOON, Family Storage Center will sell various items of personal property pursuant to assertion of a LIEN for rental at its self-storage facility. The sale of personal property will take place at the office of Family Storage Center, 715 York Rd. Kings Mountain, NC 28086. A 163 - Barnes C 101 - Smith D 126 - Brown D 137 - Floyd E FY1-3 - Johnson W 16 - DeGrush W 59 - Floyd W 62 - Marshburn W 75 - Nash KMH 2730 (10:2, 9)

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