

TRUSTEE'S DEED

___ if checked was the primary residence of the Grantor.

Prepared By: White & Allen, P.A.
Return to: Anderson Jones, P.O. Box 20248, Raleigh, NC 27619
Parcel ID: 0094877 PIN: 1726165673
NO TITLE EXAMINATION PERFORMED BY DRAFTING ATTORNEY

NORTH CAROLINA

Stamps: \$2,400.00

WAKE COUNTY

THIS DEED, made this 31st day of October, 2018, by JOHN C. BIRCHER III, Trustee, in the Chapter 7 Bankruptcy of NOA, LLC, whose address is P.O. Drawer U, New Bern, NC 28563, GRANTOR, to KITTY HAWK HOLDINGS, LLC, a North Carolina limited liability company, whose address is 190 Kitty Hawk Drive, Morrisville, NC 27560, GRANTEE.

W I T N E S S E T H:

THAT WHEREAS, on April 28, 2017, NOA, LLC, a North Carolina limited liability company, filed a voluntary bankruptcy petition under Chapter 11 of the United States Bankruptcy Code. On February 16, 2018, NOA, LLC's bankruptcy case converted to one under Chapter 7. John C. Bircher III was appointed as Chapter 7 Trustee on February 16, 2018, to fulfill the duties as

stated in 11 U.S.C. § 704; a copy of said order appointing John C. Bircher III as Trustee is attached hereto as Exhibit "A"; and

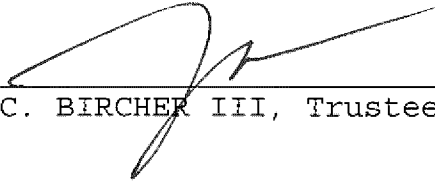
WHEREAS, a Consent Order Allowing Chapter 7 Trustee's Motion for an Order: (1) Approving Bidding Procedures and Breakup Fee for Sale of Certain Debtor's Assets; (2) Authorizing Sale of Certain Assets Free and Clear of All Liens, Claims and Encumbrances and Transferring Liens to Proceeds of Sale was entered by the United States Bankruptcy Court for the Eastern District of North Carolina on May 25, 2018, for the property described herein, and a copy of the Order is attached as Exhibit "B" and is incorporated by reference; and

NOW, THEREFORE, for valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, and John C. Bircher III, Trustee, as aforesaid, does hereby bargain, sell and convey unto the said Grantee, his heirs and assigns, in fee simple all that certain parcel of land located in Wake County, North Carolina, and more particularly described as follows:

SEE ATTACHED EXHIBIT "C" FOR LEGAL DESCRIPTION INCORPORATED HEREIN BY REFERENCE

TO HAVE AND TO HOLD the same, together with all of the appurtenances belonging or anywise appertaining, unto the said Grantee, and assigns, in as full and ample manner as the Grantor is empowered to convey the same. The Grantor makes no warranty, express or implied, as to title to the property described herein. Trustee conveys this property "AS IS" and "WHERE IS" with no warranty as to title, marketability or environmental status. Trustee, only in his respective fiduciary capacity, on behalf of the Debtor's estate, and without personal, individual or corporate liability entered into this Deed.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.



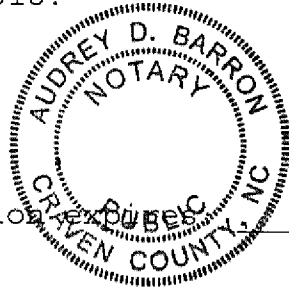
JOHN C. BIRCHER III, Trustee (SEAL)


NORTH CAROLINA

CRAVEN COUNTY

Personally appeared before me this day JOHN C. BIRCHER III, Trustee, being personally known to me or identified by satisfactory evidence and acknowledged to me his due voluntary execution of the foregoing instrument for the terms and purposes therein set forth.

Witness my hand and notarial seal, this 26 day of October, 2018.





Notary Public

My commission expires 8-20-2020

EXHIBIT "A"
ORDER APPOINTING TRUSTEE

VAN-006 Order Appointing Interim Trustee and Approving Standing Bond - Rev. 10/01/2013

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
Raleigh Division**

IN RE:
NOA, LLC
5601 Spring Court
Raleigh, NC 27616

CASE NO.: 17-02097-5-JNC

DATE FILED: April 28, 2017

TaxID: 20-0008296

CHAPTER: 7

ORDER APPOINTING INTERIM TRUSTEE AND APPROVING STANDING BOND

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

The following interim trustee is hereby appointed, and the trustee's standing bond is fixed under the blanket bond heretofore approved.

John C. Bircher III
White & Allen, PA
1319 Commerce Drive
PO Drawer U
New Bern, NC 28563

DATED: February 16, 2018

Joseph N. Callaway
United States Bankruptcy Judge

EXHIBIT "B"

SO ORDERED.

SIGNED this 25 day of May, 2018.



Joseph N. Callaway

 Joseph N. Callaway
 United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF NORTH CAROLINA
 RALEIGH DIVISION**

IN RE:

NOA, LLC

DEBTOR

CASE NO. 17-02097-5-JNC

CHAPTER 7

**CONSENT ORDER ALLOWING CHAPTER 7 TRUSTEE'S MOTION FOR AN
 ORDER: (1) APPROVING BIDDING PROCEDURES AND BREAKUP FEE FOR SALE
 OF CERTAIN DEBTOR'S ASSETS; (2) AUTHORIZING SALE OF CERTAIN ASSETS
 FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES AND
TRANSFERRING LIENS TO PROCEEDS OF SALE**

This matter comes before the Court upon the Chapter 7 Trustee's Motion for an Order: (1) Approving Bidding Procedures and Breakup Fee for Sale of Certain Debtor's Assets; (2) Authorizing Sale of Certain Assets Free and Clear of all Liens, Claims and Encumbrances and Transferring Liens to Proceeds of Sale and the Limited Objection to Chapter 7 Trustee's Motion for an Order: (1) Approving Bidding Procedures and Breakup Fee for Sale of Certain Debtor's Assets; (2) Authorizing Sale of Certain Assets Free and Clear of all Liens, Claims and Encumbrances and Transferring Liens to Proceeds of Sale filed by Branch Banking and Trust Company ("BB&T"). Accordingly, based on a review of the file, the Motion, and the consent of BB&T and the Trustee, it appears to the Court:

1. This matter is a core proceeding pursuant to 28 U.S.C. § 157, and the Court has jurisdiction pursuant to 28 U.S.C. §§ 151, 157, and 1334. The Court has the authority to hear this matter pursuant to the General Order of Reference entered by the United States District Court for the Eastern District of North Carolina.

2. The Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on April 28, 2017, the case was converted to one under Chapter 7 on February 16, 2018 and John C. Bircher, III (the "Trustee") was duly appointed as Chapter 7 Trustee.

3. BB&T is the holder of three claims secured by, among other things, the Debtor's real property located at 5601 Spring Court, Raleigh, North Carolina (the "Collateral"). BB&T filed Claim Number 10 on May 23, 2017 in the amount of \$482,028.97 ("Claim 10"), Claim Number 11 on May 23, 2017 in the amount of \$96,199.46 ("Claim 11), and Claim Number 12 on May 23, 2017 in the amount of \$202,271.10 ("Claim 12") (Claim 10, Claim 11, and Claim 12 hereinafter collectively referred to as the "Claims").

4. The Motion seeks, among other things, the approval of this Court for the Trustee to sell the Collateral via private sale. BB&T and the Trustee agree that to the extent not otherwise paid prior to the closing, Claim 10, Claim 11, and Claim 12 shall be paid by from the proceeds of the private sale of the Collateral.

IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Chapter 7 Trustee's Motion for an Order: (1) Approving Bidding Procedures and Breakup Fee for Sale of Certain Debtor's Assets; (2) Authorizing Sale of Certain Assets Free and Clear of all Liens, Claims and Encumbrances and Transferring Liens to Proceeds of Sale is hereby granted with liens transferred to the proceeds of sale to the extent of their validity and in order of their priority; and

2. All outstanding amounts owed pursuant to the loan obligations underlying BB&T Claim 10, Claim 11, and Claim 12 at the time of closing of the private sale of BB&T's Collateral shall be paid in full from the proceeds of the sale of BB&T's Collateral.

WE CONSENT:

WHITE & ALLEN, PA

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Attorneys for Branch Banking and Trust Company

END OF DOCUMENT

**EXHIBIT "C":
LEGAL DESCRIPTION**

All that certain lot or parcel of land situated in the City of Raleigh, Neuse Township, Wake County, North Carolina and more particularly described as follows:

Being all of Lot 21, as shown on that plat entitled "Recombination of Lots 20, 21, and 28, North Boulevard Industrial Park, Section II - Part I" by Gerald M. White, P.E., R.L.S., dated 7-11-89, and recorded Book of Maps 1989, Page 856, Wake County Registry. See also plat recorded in Book 1978, Page 362, Wake County Registry.