

FILED & RECORDED 02/20/2023 12:20 PM
DEED BOOK 9265 PAGES 54 - 64
FILING FEES: \$25.00
PT61: 069-2023-001008 TRANSFER TAX: \$880.00
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C Hall County, GA

AFTER RECORDING, RETURN TO:

✓ Sydney W. Wargo, Esq.
ANDERSEN, TATE & CARR, P.C.
One Sugarloaf Centre, Suite 4000
1960 Satellite Boulevard
Duluth, GA 30097
File #18946.70057

Parcel Id: 15031 000097

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 17th day of February, 2023, between

CLYDE BROADWAY, JR.

as party or parties of the first part, hereinafter called Grantor, and

PRIMETIME PROPERTIES, LLC, a Georgia limited liability company

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Candler G.M.D. 1385, Hall County, Georgia, as more particularly described in Exhibit "A" attached hereto and by reference made a part hereof.

Said property is conveyed subject to the permitted title exceptions as described on Exhibit "B" attached hereto and by reference made a part hereof.

Said property is conveyed in accordance with and pursuant to that certain Certificate of Creation of Conservatorship dated August 15, 2022, filed for record August 15,

2022, recorded in Deed Book 1867, Page 590, White County, Georgia records (“Order Establishing Conservatorship”), a copy of which is attached hereto as Exhibit “C” and incorporated herein by this reference; and in accordance with and pursuant to that certain Order, dated on or about January 12, 2023, filed in the records of the Probate Court, White County, Georgia in connection with 21-GA-17 (“Order Authorizing Sale”), a copy of which is attached hereto as Exhibit “D” and incorporated herein by this reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of Grantor and all others claiming by, through or under Grantor.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

[Signature]

Clyde Broadway, Jr., by Darlene Broadway,
his conservator pursuant to that certain
Certificate of Creation of Conservatorship
dated August 15, 2022



[SIGNATURE PAGE TO LIMITED WARRANTY DEED]

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CANDLER G.M.D. 1385, HALL COUNTY, GEORGIA, CONTAINING 12.75 ACRES AND DESIGNATED TRACT-2 ON THAT CERTAIN PLAT OF SURVEY OF THE PROPERTY OF EDDIE F. HOWINGTON, RECORDED IN PLAT SLIDE 178, PAGE 124B, HALL COUNTY, GEORGIA RECORDS; WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE; BEING IMPROVED PROPERTY KNOWN AS 1563 CALVARY CHURCH ROAD ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN HALL COUNTY, GEORGIA.

TOGETHER WITH all rights, title and interest in and to that certain Perpetual Easement from Jackie Allen to Nancy Howington, as Executrix of the Estate of Eddie Howington, dated July 9, 1998, filed for record July 9, 1998, recorded in Deed Book 3241, Page 198, Hall County, Georgia records.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. All taxes for the year 2023 and subsequent years, not yet due and payable.
2. All matters which affect subject property as they may appear on that certain plat of survey recorded in Plat Slide 178, Page 124B, Hall County, Georgia records.
3. Perpetual Easement or Right of Way from Mrs. Dovie Cooper and Charlie Godfrey to Adelaide B. Lord, dated September 9, 1959, filed for record September 12, 1959, recorded in Deed Book 208, Page 70, aforesaid records.
4. Easement and Right of Way from C. E. Godfrey to Ethel G. Toney, dated May 26, 1960, filed for record June 6, 1960, recorded in Deed Book 218, Page 313, aforesaid records.
5. Easement for Right-of-Way from C. E. Godfrey to Georgia Power Company, a corporation, dated January 2, 1966, filed for record January 28, 1966, recorded in Deed Book 321, Page 267, aforesaid records.
6. Easement for Right-of-Way from Mrs. C. E. Godfrey, Edith Collins, Ethel Toney Dodd and Harold Godfrey to Georgia Power Company, a corporation, dated July 6, 1978, filed for record July 25, 1978, recorded in Deed Book 665, Page 3, aforesaid records.
7. Easement for Right-of-Way from Carlton L. Godfrey to Georgia Power Company, a corporation, dated June 21, 1978, filed for record July 25, 1978, recorded in Deed Book 665, Page 9, aforesaid records.
8. Easement for Right-of-Way from Mr. Claude Godfrey to Georgia Power Company, a corporation, dated June 23, 1978, filed for record August 4, 1978, recorded in Deed Book 665, Page 579, aforesaid records.
9. Perpetual Easement from Nancy Howington, as Executrix of the Estate of Eddie Howington to Jackie Allen, dated July 9, 1998, filed for record July 9, 1998, recorded in Deed Book 3241, Page 199, aforesaid records.
10. Scrivener's Affidavit dated November 30, 2022, filed for record December 1, 2022, recorded in Deed Book 9233, Page 141, aforesaid records.

EXHIBIT "C"

ORDER ESTABLISHING CONSERVATORSHIP

Probate Court Return Mailing Address:
59 SOUTH MAIN ST SUITE H
CLEVELAND GA 30528

FILED & RECORDED
DATE: 8/15/2022
TIME: 3:50PM
DEED BOOK: 1867
PAGE: 590
FILING FEES: \$25.00
Dena M Adams, C.S.C.
White County, GA

(Above space to be used for filing in Superior Court Clerk's Office Deeds and Records)
IN THE PROBATE COURT OF WHITE COUNTY
STATE OF GEORGIA

IN RE:)
)
CLYDE DAVIS BROADWAY JR,) ESTATE NO. 2021-GA-217
WARD)

CERTIFICATE OF CREATION OF CONSERVATORSHIP
[Pursuant to O.C.G.A. § 29-5-13 (d)]

DATE ORDER ISSUED: AUGUST 15, 2022
GRANTOR [NAME OF WARD]: CLYDE DAVIS BROADWAY JR.
GRANTEE [NAME OF CONSERVATOR(S) OF ABOVE WARD]: DARLENE BROADWAY

A conservatorship has been created for the above-named ward.

(a) The Conservatorship is permanent.
 (b) The expiration date set by court order is _____, 20____.

Original Certificate delivered or mailed to Clerk of Superior Court of WHITE County
on AUGUST 15, 2022.

I do hereby certify that the above information is based on the
Order of the Probate Court issued on the date set out above
and that the above information is true and correct.

By: [Signature]
Clerk of the Probate Court

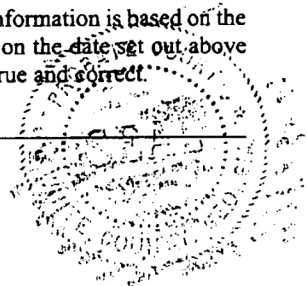


EXHIBIT "D"

ORDER AUTHORIZING SALE

IN THE PROBATE COURT OF WHITE COUNTY

9-12-2023 _____
Date: Time:
JUDGE DON FERGUSON
DF

STATE OF GEORGIA

IN RE:)
CLYDE DAVIS BROADWAY, JR.) 21-GA-17
WARD)

ORDER

This matter is before this court regarding the Petition for Leave to Sell filed by the Conservator, Darlene Broadway. A Caveat to that Petition was filed by the Ward, Clyde Davis Broadway, Jr.. The Caveat was later withdrawn by the Ward after a hearing was held regarding the sale.

Findings of Fact

On August 15, 2022, Letters of Guardianship and Conservatorship were issued by this court to Darlene Broadway, the mother of the Ward, Clyde Davis Broadway, Jr.. A Petition for Leave to Sell real property belonging to the Ward on 1563 Calvary Church Rd., Gainesville, GA was filed on September 30, 2022. The Ward was personally served notice of the Petition on

November 21, 2022. A Caveat was filed by the Ward in a timely manner and a hearing was held on January 10, 2023. At the hearing on January 10, 2023, the court heard evidence and the Ward was represented by his attorney, Mike Hinton. At the conclusion of the hearing ward chose to withdraw his prior Caveat to the sale and consent to the Sale of the Calvary Church Road property.

Conclusions of Law

Pursuant to O.C.G.A. § 29-5-35(e), if an objection is filed to the sale of the Ward's property the court must hold a hearing and determine whether the sale is in the best interests of the Ward. The court held a hearing based on the objection and at the hearing the objection was withdrawn and consent by the Ward was given to the court.

Pursuant to O.C.G.A. § 29-5-35(b) which relates to a Conservator's Bond in the event the transaction converts real property of the ward being converted into personal property the Conservator must post an additional bond to cover anticipated proceeds of the closing of the sale.

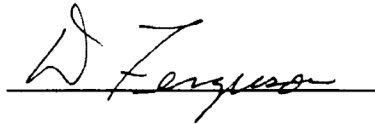
THEREFORE, IT IS HEREBY ORDERED that the Petition for Leave to Sell the real property described in the Petition and located on 1563 Calvary Church Road, Gainesville, GA 30507 is hereby granted upon the terms set forth in the Petition.

IT IS FURTHER ORDERED that the Conservator shall obtain a surety bond in the amount of the net closing proceeds due to the ward, and file the same with the Court within 30 days of closing.

IT IS FURTHER ORDERED that the Conservator shall deposit the personal property resulting from the sale of the property in the Conservatorship account for the benefit of the Ward.

IT IS FURTHER ORDERED that a copy of this Order shall be sent to the all interested Parties.

SO ORDERED, this 13 day of January, 2023.

A handwritten signature in cursive script, appearing to read "D. Ferguson", written over a horizontal line.

Don Ferguson

Judge, White County Probate Court

✓ PLEASE RETURN TO:
CARL S. FREE
ATTORNEY AT LAW
P.O. BOX 484
CLEVELAND, GA 30528
FILE # 22-159

FILED & RECORDED 05/20/2022 12:10 PM
DEED BOOK 9130 PAGES 676 - 677
FILING FEES: \$25.00
PT&L: D69-2022-004485 TRANSFER TAX: \$440.00
RECORDED BY: IP
CLERK: Charles Baker, C.S.C. Hall County, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF WHITE

THIS INDENTURE, made this 17th of May in the year of our Lord Two Thousand Twenty-Two (2022), between PST PROPERTIES, LLC, a Georgia Limited Liability Company, Grantor, and CLYDE BROADWAY, JR., Grantee,

WITNESSETH, that the said Grantor, for and in consideration of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Grantee:

All that tract or parcel of land lying and being in Candler G.M.D. (1385) Hall County, Georgia, and being more particularly described as follows:

Begin at a pk nail found in concrete on the easterly right of way of Calvary Church Road (having and eighty foot right of way); thence leave the easterly right of way of said Calvary Church Road and proceed South 58° 56' 14" East a distance of 362.07 feet to a pk nail found in concrete, thence proceed South 41° 24' 07" East a distance of 1,708.35 feet to a ¼ inch crimped top pipe found, thence proceed South 08° 17' 43" West a distance of 429.15 feet to an iron pin found, thence proceed North 38° 58' 32" West a distance of 1,794.69 feet to an iron pin found, thence proceed North 50° 58' 00" East a distance of 50.02 feet to an iron pin found, thence proceed North 01° 29' 52" West a distance of 185.75 feet to a ½ inch crimp top pipe set, thence proceed South 83° 11' 04" West a distance of 192.58 feet to an iron pin found, thence proceed North 39° 00' 04" West a distance of 223.52 feet to an iron pin found on the easterly right of way of said Calvary Church Road, thence proceed North 23° 44' 07" East a distance of 101.94 feet to an iron pin placed, thence proceed North 11° 55' 36" East a distance of 37.12 feet to a pk nail found in concrete on the easterly right of way of said Calvary Church Road, said pk nail marking the Point of Beginning.

Said property containing 12.75 acres and being shown on that certain Boundary Survey for PST Properties, LLC prepared by Patton-Boyer, Inc. dated April 6, 1994, last revised November 8, 2001 and bearing the seal of Chris M. Patton, being Georgia Registered Land Surveyor No. 2647.

Subject to restrictions, reservations, easements and rights of way of record, if any.

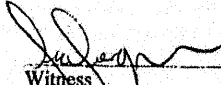
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, their heirs and assigns, forever, in fee simple.

AND THE SAID Grantors, their heirs, executors and administrators, will warrant and forever defend the right and title to the above-described property, unto the said Grantees, their heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the Grantor.


Wherever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.


In witness whereof, the Grantors have hereunto set their hands and affixed their seals the day and year above written.

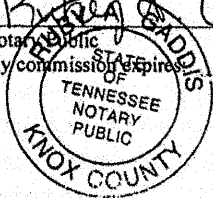
Signed, sealed and delivered
in the presence of:


Witness

PST PROPERTIES, LLC, Grantor

 (SEAL)
By: Donald J. Stoner, Managing Member


Notary Public
My commission expires
September 26, 2023



After recording, please return to:
Carl S. Free, Attorney at Law
P.O. Box 884
Cleveland, GA 30528
File #22-159

FILED & RECORDED 05/20/2022 12:10 PM
DEED BOOK 9130 PAGES 678 - 682
FILING FEES: \$25.00
INT TAX: \$0.00
RECORDED BY: JP
CLERK: Charles Baker, C.S.C Hall County, GA

PURCHASE MONEY DEED TO SECURE DEBT

STATE OF GEORGIA
COUNTY OF WHITE

THIS INDENTURE, made the 17th day of May, in the year Two Thousand Twenty-Two, between **CLYDE BROADWAY, JR.**, Grantor, Party of the First Part; and **C. DAVIS BROADWAY** and **DARLENE BROADWAY**, having a mailing address of 1541 Hwy 255 N, Sautee Nacoochee, GA 30571, Grantee; Party of the Second Part;

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **THREE HUNDRED TWO THOUSAND NINE HUNDRED SIXTY-EIGHT DOLLARS AND NINETY-FOUR CENTS (\$302,968.94)**, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said party of the second part:

Property As Shown On "Exhibit "A" Attached Hereto

TO HAVE AND TO HOLD the said bargained premises with all and singular the rights, members and appurtenances thereto appertaining to the only proper use, benefit and behoof of the said party of the second part, in FEE SIMPLE; and the said party of the first part hereby covenants that he is lawfully seized and possessed of said property, and has a good right to convey it, and that it is unencumbered; and that the said bargained premises, the said first party unto the said party of the second part, against the said first party, and against all and every other person or persons, shall and will WARRANT AND FOREVER DEFEND.

THIS CONVEYANCE is made under the provisions of the existing Official Code of the State of Georgia to secure a debt evidenced by one note, of even date herewith, made by the party of the first part to order of the party of the second part, for the principal sum of **\$306,444.14**, with a maturity date of **August 17, 2022** with installments payable as delineated in said promissory note; with said principal and interest being payable in lawful money of the United States. It being further being expressly understood and agreed that if default be made in the payment of any of the aforesaid installments, or any part thereof, as and when the same shall become due and payable, then, and in that event, said principal sum, or so much thereof as may remain unpaid at the time of such default, shall bear interest at the maximum rate allowable by law per annum from the date of such default.

DEED TO SECURE DEBT

then become and be tenants holding over, and shall forthwith deliver possession to the purchaser at such sale, or be summarily dispossessed, in accordance with the provisions of law applicable to tenants holding over.

The power and agency hereby granted are coupled with an interest and are irrevocable by death or otherwise, and are granted as cumulative to the remedies for collection of said indebtedness provided by law.

In the event this deed is foreclosed at law or in equity, the party of the second part shall be entitled to a receiver to take charge of the said property, to collect the rents, issues and profits arising therefrom, and to care for the same without proving insolvency, or any other grounds for extraordinary relief, and the said party of the first part hereby consents to the appointment of such receiver.

In this deed, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in the singular, and there be more than one grantor or grantee, said singular part of speech shall be deemed to read as plural, and each grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

Wherever herein the words "party of the first part" or "party of the second part" is used, the same shall be construed to mean as well the heirs, executors, administrators, successors, representatives and assigns of the same, whether voluntary by act of the parties, or involuntary by operation of law.

It is distinctly understood and agreed that the hereinbefore described note, or any renewal or renewals thereof, and this deed are to be together regarded as a Georgia contract, and is made, and shall be executed and performed, under and in conformity with the laws of the State of Georgia and of no other place or State whatever.

IN WITNESS WHEREOF, the party of the first part hereto set his hand and affixed his seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Cathy Robert
Witness

Clyde Broadway, Jr. (SEAL)
Clyde Broadway, Jr., Grantor

[Signature]
Notary Public
My Commission Expires: _____



DEED TO SECURE DEBT

EXHIBIT "A"

All that tract or parcel of land lying and being in Candler G.M.D. (1385) Hall County, Georgia, and being more particularly described as follows:

Begin at a pk nail found in concrete on the easterly right of way of Calvary Church Road (having an eighty foot right of way); thence leave the easterly right of way of said Calvary Church Road and proceed South 58° 56' 14" East a distance of 362.07 feet to a pk nail found in concrete, thence proceed South 41° 24' 07" East a distance of 1,708.35 feet to a ¼ inch crimped top pipe found, thence proceed South 08° 17' 43" West a distance of 429.15 feet to an iron pin found, thence proceed North 38° 58' 32" West a distance of 1,794.69 feet to an iron pin found, thence proceed North 50° 58' 00" East a distance of 50.02 feet to an iron pin found, thence proceed North 01° 29' 52" West a distance of 185.75 feet to a ½ inch crimp top pipe set, thence proceed South 83° 11' 04" West a distance of 192.58 feet to an iron pin found, thence proceed North 39° 00' 04" West a distance of 223.52 feet to an iron pin found on the easterly right of way of said Calvary Church Road, thence proceed North 23° 44' 07" East a distance of 101.94 feet to an iron pin placed, thence proceed North 11° 55' 36" East a distance of 37.12 feet to a pk nail found in concrete on the easterly right of way of said Calvary Church Road, said pk nail marking the Point of Beginning.

Said property containing 12.75 acres and being shown on that certain Boundary Survey for PST Properties, LLC prepared by Patton-Boyer, Inc. dated April 6, 1994, last revised November 8, 2001 and bearing the seal of Chris M. Patton, being Georgia Registered Land Surveyor No. 2647.

Subject to restrictions, reservations, easements and rights of way of record, if any.