BK 3223

TRUSTEE'S DEED

WHEREAS, default having occurred in the payment on indebtedness described in, and secured by, deed of trust dated March 12, 1956, executed by Marion H. Mosley and wife, Betty Jean Mosley, to the undersigned, William S. Hofstetter, Trustee, of record in Book 2704, page 376, Register's Office for Davidson County, Tennessee, and in Book [illegible], page 104, Register's Office for Cheatham County, Tennessee; and the owner of all indebtedness having, in accordance with the provisions of said deed of trust, declared the entire indebtedness [illegible] and requested said owner requested me to do, I, William S. Hofstetter, Trustee, by virtue of the power and authority vested in me as such Trustee by the provisions of the said deed of trust, did, after giving notice of the sale to be duly and regularly published as required by said deed of trust and as required by the laws of the State of Tennessee, said notice or advertisement having been published in the Nashville Banner, a newspaper published in Davidson County, Tennessee, offer for sale, at public auction, at the south door of the Courthouse in Davidson County, Tennessee, at 12:00 o'clock Noon on Tuesday, May 2, 1961, to the highest bidder for cash, and free from the equity of redemption, homestead, dower and all other exemptions, which are expressly waived in said deed of trust, two parcels of real estate conveyed to me as such Trustee by said deed of trust, one parcel being located in Davidson County, Tennessee, and the other parcel being located in Cheatham County, Tennessee; and the bid of the highest, [illegible] Hundred Twenty-five ($1,125.00) Dollars made by James D. Capps and wife, Maude H. Capps, being the highest [illegible] the said were located in Davidson County, Tennessee, such property was struck off and sold to the said James D. Capps and wife, Maude H. Capps.

NOW, THEREFORE, I, WILLIAM S. HOFSTETTER, Trustee, in exercise of the power and authority aforesaid, and in consideration of the premises and of the said sum of the proceeds, and said sum of One Thousand One Hundred Twenty-five ($1,125.00) Dollars, cash in hand to me paid by the said James D. Capps and wife, Maude H. Capps, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do transfer and convey unto the said James D. Capps and wife, Maude H. Capps, their heirs and assigns, the aforementioned parcel of real estate located in Davidson County, Tennessee, described as follows:

> Lying in Davidson County, Tennessee, and being part of Lot No. 20 on the plan of J. C. Vernon Farm, as of record in Book 161, page 161, Register's Office for said County, and described as follows:
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> BEGINNING at a point in the West margin of White Bridge Road 270 feet north of the northwest corner of said Road and Bernie Road; thence with the margin of White Bridge Road, northerly 70 feet; thence westerly [illegible] feet more or less to a point in the easterly margin of an alley; thence with the easterly margin of said alley southerly 70 feet; thence easterly 215.0 feet to the point of beginning.
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> Being the same property conveyed to Marion H. Mosley and wife, Betty Jean Mosley, from J. H. Watts and wife, by deed of record in Book 2497, page [illegible], said Register's Office.

TO HAVE AND TO HOLD the said parcel of real estate, together with the title, estate, interest, and appurtenances thereto belonging to the said James D. Capps and wife, Maude H. Capps, their heirs and assigns.

And I further transfer and convey unto the said James D. Capps and wife, Maude H. Capps, their heirs and assigns, all the rights and benefits to the covenants and warranties contained in the said deed of trust insofar as I, William S. Hofstetter, Trustee as aforesaid, can legally do, but no further and not otherwise.

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