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THIS INSTRUMENT PREPARED BY DAVIS H. CARR
ATTORNEY, 21st FLOOR - FIRST AMERICAN CENTER
NASHVILLE, TENNESSEE 37238

SUCCESSOR TRUSTEE'S DEED

Address New Owner as Follows:	Send Tax Bills To:	Map and Parcel Numbers:
John B. Hardcastle, Trustee 315 Union Street Nashville, Tennessee 37201	Same	Map: 53-12 Parcels: 146-147 & 187

WHEREAS, Eugene E. Davis and wife, Lucille W. Davis, by Deed of Trust dated July 7, 1972, transferred and conveyed unto John B. Hardcastle, Trustee, the property hereinafter described, said Deed of Trust being of record in Book 4618, page 145, Register's Office for Davidson County, Tennessee; and having been amended by that said Modification Agreement being of record in Book 4879, page 997, Register's Office for Davidson County, Tennessee; and

WHEREAS, John B. Hardcastle was removed as Trustee and the undersigned, Davis H. Carr, was appointed Successor Trustee by an instrument of record in Book 5055, page 232, Register's Office for Davidson County, Tennessee; and

WHEREAS, the indebtedness secured by said Deed of Trust, had become overdue and unpaid; and

WHEREAS, notice of default was duly given to said Eugene E. Davis and wife, Lucille W. Davis, by letter dated August 5, 1976, duly deposited in the United States mails on said date, certified, return receipt requested, wherein the debtor was advised of the intention of the secured party to foreclose the lien of said Deed of Trust if the conditions of default then existing were not cured within five (5) days from the mailing of said notice; and

WHEREAS, by said letter the debtors were advised of their rights should they decide to challenge the foreclosure to seek a hearing appropriate to the nature of the case; and

WHEREAS, no hearing was sought; and

WHEREAS, the entire indebtedness was declared due and payable at the option of the lawful owner and holder of said indebtedness as provided in the said Deed of Trust and the notes evidencing such indebtedness; and

WHEREAS, the holder of said indebtedness called upon the undersigned, or Successor Trustee, to foreclose said Deed of Trust; and

WHEREAS, the undersigned Successor Trustee, after due advertisement as required by law and as required by the terms of said Deed of Trust, offered said land for sale at the Court House door of the Davidson County Court House in Nashville, Tennessee, pursuant to the terms of said Deed of Trust, at 12:00 Noon, September 14, 1976, when and where John B. Hardcastle, Trustee, became the last and highest bidder at the price of Eighty Five Thousand Dollars ($85,000);

NOW, THEREFORE, I, Davis H. Carr, Successor Trustee as aforesaid, in consideration of the premises and of the sum of Eighty Five Thousand Dollars ($85,000) to me in hand paid, the receipt of which is hereby acknowledged, by these presence do transfer and convey unto the said John B. Hardcastle, Trustee, his successors and assigns, the land sold as aforesaid, being in Davidson County, Tennessee, and more particularly described as follows:

TRACT I

Land in Davidson County, Tennessee, being part of Lot No. 1, of Section II, on the Map of the Life & Casualty Insurance Company's Subdivision of the Dabbs & Elliott Property, as of record in Book 843, page 56, Register's Office for Davidson County, Tennessee, described as follows:

Beginning at a point in the southeasterly margin of 32nd Street at the northwesterly corner of the property conveyed to Ogle Jones, by deed from J. E. Clay and wife, as of record in Book 1031, page 302, Register's Office for said County; said point being 130 feet from the intersection of 32nd Street and Pitts Avenue; thence along the margin of the Jones property in a southeasterly direction 100 feet; thence in a northeasterly direction 30 feet; thence in a southeasterly direction 79 feet to a point in the line between Lots 1 and 2 said point being 100 feet from the margin of Pitts Avenue; thence along the dividing line of Lots 1 and 2 in a southwesterly direction 319.6 feet to the southeasterly corner of a part of Lot 1 conveyed to Robert C. Nixon, as of record in Book 2546,

page 215, thence with Nixon's line in a northwesterly direction, 179 feet to a point in the southeasterly margin of 32nd Street; thence along the margin of said Street in a northeasterly direction 289.1 feet to the beginning.

Being the same property conveyed to Eugene E. Davis and wife, Lucille W. Davis, by deed from Hettie D. Smith, and husband, Garfield Smith, as of record in Book 3506, page 103, Register's Office for Davidson County, Tennessee.

TRACT II

Land in Davidson County, Tennessee, being Lots Nos. 11 and 12 of Block 7 of Dabbs and Elliots Subdivision as of record in Book 547, page 97, Register's Office for said County.

Said Lots Nos. 11 and 12 front jointly 100 feet on the northerly margin of 32nd Street and run back between parallel lines measuring 144 feet to a dead line in the rear measuring 100 feet.

Being the same property conveyed to Eugene E. Davis and wife, Lucille W. Davis, by deed from Floretta Hunter, of record in Book 3319, page 465, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD said land and premises, together with all the appurtenances and privileges thereto appertaining to the said John B. Hardcastle, Trustee, his successors and assigns, in as full and complete manner as the undersigned, in his capacity as Successor Trustee as aforesaid, has the power to convey the same.

THE UNDERSIGNED, Davis H. Carr, Successor Trustee, warrants the title to the said property to the said John B. Hardcastle, his successors and assigns, against the lawful claims of all persons claiming by, through, or under him. Said property is sold, however, subject to the following:

1) Any and all unpaid taxes.

2) Setback lines, easements, and restrictions shown on a plan of record in Book 843, page 56, Register's Office for Davidson County, Tennessee. (Tract I only)

3) Setback lines, easement, and restrictions shown on a plan of record in Book 547, page 97, Register's Office for Davidson County, Tennessee. (Tract II only)

4) Restrictive covenant of record in Book 929, page 279, and Book 1055, page 280, Register's Office for Davidson County, Tennessee. (Tract II only)

5) Mechanics' and Materialmen's liens.

6) Rights or claims of parties in possession.

7) Any other restrictive covenants or setback lines which may be applicable to said property.

8) Any and all other prior easements, liens, or encumbrances therein of record.

IN WITNESS WHEREOF, the undersigned, Davis H. Carr, Successor Trustee, has set his signature the 15TH day of September, 1976.

Davis H. Carr
Successor Trustee

SEP 27 76	CONV	85,000.00			
SEP 27 76	S'TAX		B*	221.00	
SEP 27 76	PR'FEE		B*	.50	
SEP 27 76	W'DEED		B*	10.00	* 231.50

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STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me Gail K. Parsons a Notary Public in and for said County and State, the within named Davis H. Carr, Successor Trustee, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office in Nashville, Tennessee, this 22nd day of September, 1976.

Gail K. Parsons
Notary Public

My Commission Expires: 2/23/80

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $85,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Affiant

Subscribed and sworn to before me this the 22nd day of September, 1976.

Gail K. Parsons
Notary Public

My Commission Expires: 2/23/80

D69894

IDENTIFICATION REFERENCE

SEP 27 3 07 PM '76

REGISTER DAVIDSON COUNTY, TENN.