THIS INSTRUMENT PREPARED BY:
GEORGE E. MUDTER, JR., ATTY. ← FILE
FIRST AMERICAN CENTER
10TH FLOOR
NASHVILLE, TENNESSEE 37238

BOOK 5074 PAGE 379

SUBSTITUTE TRUSTEE'S DEED

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel Nos.:
First American National Bank of Nashville c/o Guaranty Mortgage Company Division 10th Floor, First American Center Nashville, Tennessee 37238	SAME	161 - 144 161-143 161 - 145 172 - 28 161 - 146 172-26

WHEREAS, default having been made in the payment of the debt and obligations, terms, and conditions, provided for in that certain Deed of Trust dated December 18, 1973 to Herschel Greer, Trustee, executed by William L. Berkley, Trustee, as same appears of record in Book 4775, Page 962 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, the lawful owner and holder of said indebtedness has removed Herschel Greer as Trustee under said Deed of Trust and has nominated and appointed George E. Mudter, Jr. as Substitute Trustee, pursuant to the terms of said Deed of Trust, which appointment of Substitute Trustee is of record in Book 5061, Page 839, Register's Office for Davidson County, Tennessee and the said George E. Mudter, Jr., Substitute Trustee, is thereby vested with title to the property described in said Deed of Trust for all purposes therein contained, and he is clothed with all the powers, duties, and obligations therein conferred upon the named Trustee; and

WHEREAS, the entire indebtedness secured by the above-referenced instruments has matured and is past due and unpaid, the owner thereof requested the undersigned to advertise and sell the security according to the terms of said instruments; and

WHEREAS, in accordance with said request, the said real estate was advertised for sale in The Nashville Record, a newspaper published in Nashville, Davidson County, Tennessee, the first insertion appearing on August 31, 1976, and subsequent insertions appearing on September 7, 1976, and September 14, 1976, giving the time, terms, place of sale and description of the real estate; and

WHEREAS, on September 21, 1976, being the time and at the front door of the Courthouse in Nashville, Davidson County, Tennessee, being the place mentioned in said advertisements, the undersigned offered said real estate for sale in accordance with all the terms and requirements in the abovereferenced instruments, and advertisement of sale made in connection therewith, at which time said real estate was offered for sale at public outcry to the highest and best bidder for cash and was struck off and sold to First American National Bank of Nashville, at and for the sum of Four Hundred Sixty-Seven Thousand, Nine Hundred Four and 07/100 ($467,904.07) Dollars, which was the highest and best bid in connection therewith; and

WHEREAS, the purchaser being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Trustee the expenses of sale, the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the promises and the payment by First American National Bank of Nashville of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned George E. Mudter, Jr., as Substitute Trustee, does hereby grant, bargain, sell and convey to the said First American National Bank of Nashville, at First American Center, Nashville, Tennessee, its successors and assigns, in fee simple forever, the property above-mentioned and now further described as being in the County of Davidson and State of Tennessee, to wit:

Two Tracts of land in the Sixth Civil District of Davidson County, Tennessee, described as follows:

Tract No. 1: BEGINNING at a point in the southerly margin of Old Hickory Boulevard, being the northeast corner of property conveyed to Jerry W. Turrentine by deed of record in Book 4323, page 605, Register's Office for said County; thence with Turrentine's easterly line south 03° 15' west 161.21 feet to a corner post in a fence line; thence north 88° 08' west 142.6 feet to a point; thence south 04° 18' 27" east 595.34 feet to a point; thence south 88° 05' 03" east 796.98 feet to an iron pin; thence north 01° 35' 39" east 740.55 feet to a point in the southerly margin of Old Hickory Boulevard; thence with the same with a slight curve having a radius of 7,126.09 feet northwesterly 169.70 feet; thence continuing with said Boulevard north 87° 15' 35" west 541.40 feet to the point of beginning, containing 13.79 acres, more or less, which property includes the Highlands, Section 1, of record in Book 4715, page 15, said Register's Office.

Tract No. 2: BEGINNING at a point in the easterly margin of Edmondson Pike approximately 2,399 feet south of the southeast corner of Edmondson Pike and Old Hickory Boulevard and at the northerly margin of a road under fence, being the southwest corner of a tract hereby conveyed and the northwest corner of the Phillips & Gray tract; thence northerly with the easterly margin of Edmondson Road 546 feet to a point, being the southwest corner of a tract of 3.07 acres containing the H. B. Franklin residence; thence South 85° 55' East a distance of 400.25 feet to a point, being the southeast corner of said tract of 3.07 acres; thence North 2° 59' 1" West a distance of 352.57 feet to the northeast corner of said tract of 3.07 acres; thence continuing north 00° 00' 10" west a distance of 730.89 feet to a point, being the northwest corner of the tract now being conveyed; thence south 85° 18' 54" east with a fence, a distance of 1000.25 feet to a point, being the northeast corner of the tract now being conveyed; thence south 4° 53' 12" west with a fence, a distance of 1519.76 feet to a point; thence south 86° 4' 46" east with a fence a distance of 588.75 feet to a point; thence south 4° 15' 45" west with a fence 684.98 feet to a point near a spring, being the southeast corner of the tract now being conveyed; thence North 86° 18' 19" west with a fence 770.40 feet to a point; thence north 5° 45' 14" East with a fence, crossing a cattle gap on the fenced road, a distance of 474.27 feet to a point in the northerly margin of said road; thence with the fence along said road north 80° 48' 32" west a distance of 1099.38 feet to the point of beginning, and containing 52.404 acres, more or less.

Said sale is subject to all unpaid taxes, subdivision restrictions and building lines, easements for public utilities and any other easements of record.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto First American National Bank of Nashville, its successors and assigns, in fee simple forever, to whom the said George E. Mudter, Jr., Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, George E. Mudter, Jr., as Substitute Trustee, has executed this instrument on the 30th day of September, 1976.

George E. Mudter, Jr.

George E. Mudter, Jr., Substitute Trustee

STATE OF TENNESSEE

COUNTY OF DAVIDSON

On this 30th day of September, 1976, before me a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared George E. Mudter, Jr., to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

Helen D. Scott
NOTARY PUBLIC

HELEN D. SCOTT NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires:

May 30, 1979

D 70768

IDENTIF. REFERENCE

OCT 1 3 28 PM '76

FELIX E. DYER
DAVIDSON COUNTY, TENN.

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $467,204.07, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

George E. Mudter, Jr.
Affiant

Subscribed and sworn to before me this 30th day of September, 1976.

Helen D. Scott
NOTARY PUBLIC

HELEN D. SCOTT NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires:

May 30, 1979

OCT-1 CONV * 467 904.07
OCT-1 S'TAX B* 1,216.54
OCT-1 PR'FEE B* .50
OCT-1 W'DEED B* 6.00 * 1,223.04