BOOK 5169 PAGE 217

FROM: W. FRED WILLIAMS,
SUBSTITUTE TRUSTEE

TO: GERALD E. SMITH, Unmarried MORTGAGOR: KILGORE, HELEN R.

Address New Owner as follows: Gerald E. Smith 632 Old Hickory Blvd Madison, Tenn

Send Tax Bills to: Gerald E. Smith Same

Map-Parcel No. Map 42-11 Par 30

This instrument prepared by: DEARBORN & EWING, Attorneys, 1912 Parkway Towers, Nashville, Tennessee, 37219

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $22,500.00.

W Fred Williams
Affiant

Subscribed and sworn to before me, this the 11 day of July, 1977.

Susan D Painter
Notary Public

My Comm. Expires: 9-16-78

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by deed of trust dated April 25, 1974, of record in Book 4813, page 575, Register's Office for Davidson County, Tennessee, Helen R. Kilgore conveyed to James R. Everett, Jr., Trustee, the hereinafter described real estate, to secure a note of even date therewith, which note is fully described in said deed of trust; and,

WHEREAS, default having occurred in the payment of said note, and in accordance with the terms of said note and deed of trust, the holder thereof declared the entire indebtdness due and owing; and,

WHEREAS, the lawful owner and holder of the indebtedness, by the terms of a certain instrument of record in Book 5152, page 54, Register's Office for Davidson County, Tennessee, appointed W. Fred Williams, Substitute Trustee, in the place and stead of James R. Everett, Jr., Trustee; and,

WHEREAS, the owner and holder of the said indebtedness directed the said W. Fred Williams, Substitute Trustee, to sell the said property described in the deed of trust, and in accordance with the terms thereof, and pursuant to said direction, said W. Fred Williams, Substitute Trustee, did advertise the said property for sale as provided in said deed of trust and note, and the said property was advertised to be sold at 12:00 o'clock, Noon, on Wednesday, July 6, 1977, at the front door of the Courthouse in Nashville, Davidson County, Tennessee, at public outcry, to the highest and best bidder for cash, free from the equity of redemption, homestead and dower, and all other exemptions of every kind, all of which are expressly waived in the deed of trust; and the said advertisement of sale was duly published in the Nashville Record, a newspaper of general circulation in Davidson County, Tennessee, on June 9, 16, and 23, 1977; and,

WHEREAS, at the time and place of said sale, and upon said property being offered under the terms hereinabove set forth, Gerald E. Smith, unmarried, was the highest and best bidder;

NOW, THEREFORE, the undersigned, W. Fred Williams, Substitute Trustee, pursuant to the bid of Gerald E. Smith, unmarried,

acknowledges receipt of the sum of Twenty-Two Thousand Five Hundred and No/100 Dollars ($22,500.00), which was the highest bid, and for and in consideration of said bid, has bargained and sold, and by these presents does hereby transfer and convey unto Gerald E. Smith, unmarried, his heirs and assigns, the following described real estate in Davidson County, Tennessee:

Land in the 11th Civil District of Davidson County, Tennessee, described according to a copy of a survey thereof made by Solon E. Davis, Engineer, October 26, 1953, as follows:

Beginning at a point on the northerly margin of Old Hickory Boulevard, 145 feet east of the intersection of said Boulevard and the east margin of Marthonna Road, the southeast corner of the property being conveyed to J. C. Thompson Construction Company; thence along said Company's easterly line, northerly 280.15 feet to a point which is 145 feet east of the easterly margin of Marthonna Road; thence south 85° 56' 30" east 152.61 feet to the west line of the property conveyed to J. F. Kennedy, by deed of record in Book 607, page 198, Register's Office for said County; thence along what was Kennedy's westerly line, South 3° 05' West 280 feet to the north margin of Old Hickory Boulevard; thence with the margin of the same, North 85° 53' West 145 feet to the beginning.

Being the same property conveyed to Jesse R. Maggart and wife, Helen R. Maggart, by deed from Alice R. Moore, of record in Book 4284, page 412, Register's Office for Davidson County, Tennessee, and conveyed to Helen R. Maggart by decree of divorce of record in Minute Book 023A, page 212, Register's Office for Davidson County, Tennessee, the said Helen R. Maggart and Helen R. Kilgore being one and the same person.

Also included therein but excluded herefrom is the following parcel of land of record in Book 4976, page 472, Register's Office of Davidson County, Tennessee:

Beginning at the point of intersection of the west boundary of the Chester E. Shumake property and the north margin of Old Hickory Boulevard, thence along the said north margin westwardly 145.0 feet to a point, thence North 0° 34' West 21.0 feet to a point, thence South 87° 59' East 145.6 feet to a point in the said west boundary, thence along the said west boundary South 0° 59' West 21.0 feet to the point of beginning and containing 3051 square feet, and being part of the property conveyed by Alice R. Moore to Jessie R. Maggart and wife, Helen R. Maggart, of record in Book 4284, page 412, Register's Office for Davidson County, Tennessee.

Beginning at the point of intersection of the Shumake west boundary and the proposed north margin, thence along the said north margin westwardly 24 feet more or less to a point, thence northwestwardly 30 feet more or less to a point, thence eastwardly 25 feet more or less to a point, thence southeastwardly 15 feet to a point in the said west boundary, thence along the said west boundary South 0° 59' West 14 feet more or less to the point of beginning and containing 710 square feet.

~~Beginning at the point of intersection of the west margin of the~~ above described drainage easement and the said proposed north margin thence along the said north margin ~~westwardly~~ 122 feet more or less to a point, thence ~~North 0° 34'~~ West 22 feet more or less to a point, thence ~~westwardly~~ 119 feet more or less to a point in the said west ~~margin~~, thence along the said west margin southeastwardly ~~23 feet~~ more or less to the point of beginning and ~~containing 2666 square feet.~~

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Gerald E. Smith, unmarried, his heirs and assigns forever; and W. Fred Williams, Substitute Trustee, does hereby transfer, assign, and set over unto Gerald E. Smith, unmarried, his heirs and assigns, all of his right, title and interest in the said property as Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said W. Fred Williams, Substitute Trustee, has executed this instrument on this the 11 day of July, 1977.

W. Fred Williams
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Susan G. Paynter, a Notary Public in and for said State and County, the within named W. Fred Williams, Substitute 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 11th day of July, 1977.

Susan G. Paynter
Notary Public

My Commission Expires: 9-16-78

SUSAN G. PAYNTER NOTARY PUBLIC DAVIDSON COUNTY, TENN.

E 13585

T
IDENTIF. REFERENCE

JUL 11 10 47 AM 1977
FELIX DAVIDSON COUNTY REGISTER, TENN.

JUL11'77	CONV	22,500.00				
JUL11'77	S'TAX		B*	58.50		
JUL11'77	PR'FEE		B*	.50		
JUL11'77	W'DEED		B*	6.00	*	65.00