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Mail

THIS INSTRUMENT WAS PREPARED BY C. EDWARD COOMER, ATTORNEY,
4015 TRAVIS DRIVE, NASHVILLE, TENNESSEE 37211

SEND TAX BILLS TO: Tennessee Housing Development
Agency
Suite 500
United American Bank Bldg.
200 Fourth Avenue, North
Nashville, Tennessee 37219

43-11-154

C. EDWARD COOMER,

Substitute Trustee SUBSTITUTE TRUSTEE'S DEED

TO: Tennessee Housing Development Agency

JAN-5 MISC B* 8.00 * 8.00

WHEREAS, by deed of trust executed December 3, 1975, in Davidson County, Tennessee, and of record in Book 4978, page 751, Register's Office for Davidson County, Tennessee, the hereinafter described property was conveyed from Edgar D. Peden, single, unto Albert Wm. Johnson, Trustee, to secure payment of a Promissory Note of even date therewith and fully described in said deed of trust; and,

WHEREAS, the Tennessee Housing Development Agency is the holder in due course of said Promissory Note secured by said deed of trust; and,

WHEREAS, said deed of trust provides that in the event said note was not paid when due, said Trustee or the lawful holder of such note was authorized to declare the whole of said note due and payable and to sell such real property at auction for cash to the highest bidder free from all rights of the said Edgar D. Peden, his heirs, administrators, successors or assigns, and for advertising the time and place of said sale as required by law; and,

WHEREAS, said deed of trust further provides that in the event the said Trustee was unable to act and serve as Trustee, that the holder of said note was authorized to appoint a Substitute Trustee; and,

WHEREAS, the Tennessee Housing Development Agency did appoint C. Edward Coomer, Attorney, as Substitute Trustee by instrument of record in Book 5223, page 89, Register's Office for Davidson County, Tennessee, thereby vesting in said Substitute Trustee all of the rights, powers and privileges of the original Trustee; and,

WHEREAS, default has occurred in the payment of said indebtedness and the whole of same was declared due and payable and notice was given as provided by law by regular publication in the Nashville Record, a newspaper of general circulation published in Davidson County, Tennessee, that said property would be sold at the south door of the Davidson County Courthouse, at Nashville, Tennessee, on Thursday, January 5, 1978, at 12:00 noon to the highest and best bidder for cash free from all of the rights of the said Edgar D. Peden, his heirs, administrators, successors or assigns; and,

WHEREAS, said sale was held and conducted at the time and place set out in the advertisement and the Tennessee Housing Development Agency was the highest and best bidder, said bid being in the amount of $19,500.00;

NOW, THEREFORE, I, C. Edward Coomer, Substitute Trustee, by virtue of the authority vested in me and pursuant to the terms of said deed of trust, have this day bargained and sold and do by these presents hereby transfer and convey to the Tennessee Housing Development Agency to have and to hold to it and to its successors and assigns forever and free from the rights of the said Edgar D. Peden, land in Davidson County, Tennessee, more particularly described as follows:

> Being Lot No. 22 and the westerly one-half of Lot No. 21 of Block "G" on the Revised Plan of Rainbow Terrace Subdivision as of record in Book 1130, page 85, Register's Office for said County, to which Plan reference is hereby made for a more detailed description.
>
> Being the same property conveyed to Edgar D. Peden, single, by deed from Donald B. Dukes and wife, Judy Kay Dukes and recorded in Book _____, page _____, Register's Office for Davidson County, Tenn.

It is the intention and purpose of the above named Trustee to convey the above described property with all of the covenants and warranties which he is authorized to make as such Substitute Trustee, but it is expressly understood and agreed that all of such warranties and covenants are made by him as Substitute Trustee and not individually.

IN WITNESS WHEREOF, I, C. Edward Coomer, Substitute Trustee, have executed this deed of conveyance this 5th day of January, 1978, by subscribing hereto my official signature at Nashville, Tennessee.

C. EDWARD COOMER

C. Edward Coomer

Substitute Trustee

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STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, CAROL TWIDWELL, a Notary Public in and for the state and county aforesaid, C. EDWARD COOMER, Substitute Trustee, the within named bargainor with whom I am personally acquainted and who acknowledged that he executed the foregoing instrument of conveyance for the purposes contained therein.

Sworn to and subscribed before me this 5th day of January, 1978.

Carol Twidwell
Notary Public

CAROL TWIDWELL NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My commission expires:

8-1-81

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

IDENTIF. REFERENCE

JAN 5 12 30 PM '78

FELIX Z. WILSON REGISTER DAVIDSON COUNTY, TENN.

E 44832

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $19,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

C. Edward Coomer
Affiant

Sworn to and subscribed before me this 5th day of January, 1978.

Carol Twidwell
Notary Public

My commission expires:

8-1-81

CAROL TWIDWELL NOTARY PUBLIC DAVIDSON COUNTY