Mail

THIS INSTRUMENT PREPARED BY:
Lawrence R. Ahern, III
Miller & Martin
Tenth Floor Volunteer Building
Chattanooga, TN 37402

BOOK 5284 PAGE 466

HMC # 140-11-434

HP# 70

SEND TAX BILLS TO:

Hamilton Mortgage Corporation

P.O. Box 28716

Atlanta, GA 30342

MAP & PARCEL NO.

To be assgn. 2nd

CORRECTIVE INSTRUMENT AND QUITCLAIM

THIS INDENTURE, made this 13th day of April, 1978, by and between FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver of the Hamilton National Bank of Chattanooga, Chattanooga, Tennessee (hereinafter referred to as "Receiver") and KYLE R. WEEMS, as Trustee in Possession of Hamilton Mortgage Corporation, Debtor, in proceedings for an arrangement under Chapter XI in the United States District Court for the Eastern District of Tennessee, Southern Division, Case No. BK-1-76-264 (hereinafter referred to as "Trustee"),

W I T N E S S E T H:

WHEREAS, by Substitute Trustee's Deed recorded at Book 4922, Page 700, in the Register's Office of Davidson County, Tennessee, an interest in the property described in Exhibit A was erroneously conveyed to the Hamilton National Bank of Chattanooga, Chattanooga, Tennessee, as co-owner with Hamilton Mortgage Corporation; and

WHEREAS, on February 16, 1976, by Affidavit and Appointment filed In the Matter of the Liquidation of The Hamilton National Bank of Chattanooga, Chattanooga, Tennessee, in the United States District Court for the Eastern District of Tennessee, Southern Division, Civil No. 1-76-32, James E. Smith, Comptroller of the Currency did determine the Hamilton National Bank of Chattanooga, Chattanooga, Tennessee, to be insolvent and did appoint Receiver as receiver of the said bank, a certified copy of such Affidavit and Appointment being recorded at Book 5057, Page 692, in the Register's Office of said county; and

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WHEREAS, no interest in the property described in Exhibit A was or is among the assets of the former bank; and

WHEREAS, it is within the powers and responsibilities of Receiver to correct such errors in the records related to an insolvent bank and it is the purpose of this instrument to exercise such power and responsibility.

NOW, THEREFORE, Receiver, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, and for the purpose of correcting an erroneous record as aforesaid, has granted, bargained, sold, conveyed, remised, disclaimed and quitclaimed, and does by these presents grant, bargain, sell, convey, remise, disclaim and forever QUITCLAIM unto Trustee, his successors and assigns, all the right, title and interest of Receiver, if any, in and to that certain real property described in Exhibit A attached hereto and made a part hereof by reference.

TOGETHER WITH all and singular, without limitation, the timber, trees, buildings, structures, house and other improvements and fixtures, yards, gardens, riparian rights, easements, hereditaments and rights in general, including but not limited to, oil, gas and mineral rights, reversions, remainders, rents, uses and profits, members and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described property to Trustee, his successors and assigns forever, in fee simple.

IN WITNESS WHEREOF, Receiver has duly executed this instrument the day and year first above written.

FEDERAL DEPOSIT INSURANCE CORPORATION,
As Receiver of the Hamilton National
Bank of Chattanooga, Chattanooga,
Tennessee

By: _____
Robert J. Green, Attorney

ATTEST:

_____
Alan R. Miller
Executive Secretary

[SEAL]

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DISTRICT OF COLUMBIA)

Before me, Emily F. Samaha, a notary public in and for the District of Columbia, personally appeared Robert J. Green and Alan R. Miller with whom I am personally acquainted and who, upon oath, acknowledged themselves to be Attorney and Executive Secretary, respectively of the Federal Deposit Insurance Corporation as Receiver of the Hamilton National Bank of Chattanooga, Chattanooga, Tennessee, the within-named grantor and that they as such Attorney and Executive Secretary, being authorized so to do, executed the foregoing instrument for the purpose contained therein.

WITNESS my hand and seal at office in the District of Columbia this 13th day of April, 1978.

Emily F. Samaha
Notary Public

My commission expires:
May 14, 1979

NOTARY PUBLIC DISTRICT OF COLUMBIA

E 64855

IDENTIF. REFERENCE

MAY 11 1 08 PM '78

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

MAY 11 '78 MISC 6* 8.00 * 8.00

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Tennessee 37402

LAND in Davidson County, Tennessee, being Lots Nos. 267, 268, 307, 308, 309, 409, 410, 411, 412, 437 and 438 on the Plan of Sherwood Forest, Section 4, of record in Book 4460, Page 183, Register's Office for said County.

Reference for prior title: Book 4922, Page 700, Register's Office of Davidson County, Tennessee.

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Exhibit A