BOOK 5348 PAGE 748

MICHAEL J. PHILBIN)
Trustee)
)
to)
New Owner)
OLD HICKORY LUMBER DIVISION)
STRINGFELLOW LUMBER CO., INC.)
Robinson Road)
Old Hickory, TN 37138)
(Send tax bills here))

D E E D

Map 75-11
Parcels 89 and 91

WHEREAS, Bobby Smith Builders, Inc., executed a deed of trust on the 7th day of July, 1977, which was recorded in Book 5173, Page 145, Register's Office for Davidson County, Tennessee, conveying to Michael J. Philbin, Trustee, the hereinafter described property to secure payment to Engel Mortgage Company of a promissory note fully described in said deed of trust; and

WHEREAS, default occurred in the payment of said note described in and secured by said deed of trust, and in accordance with the terms and provisions thereof, all of said indebtedness was declared due and payable, and the Grantor herein, as Trustee, was instructed to advertise and sell the property for the satisfaction of said indebtedness; and

WHEREAS, said sale was advertised as directed under the terms of said deed of trust, said advertisement being made for thirty (30) days of weekly notices published in the Nashville Record, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to said advertisement, said sale was held at the time and place advertised, to-wit: October 10, 1978, at 11:00 a.m. at the Court House in Nashville, Davidson County, Tennessee, at public outcry to the highest and best bidder for cash and free from the equity of redemption, homestead, dower and all other rights and exemptions of every kind, all of which was expressly waived in said deed of trust; and the Grantee herein, Old Hickory Lumber Division, Stringfellow Lumber Company, Inc., being the highest and best bidder at said sale, with a bid of Fifty-Four Thousand One Hundred and No/100 ($54,100.00) Dollars, subject to any and all unpaid taxes which exist as a lien against said property, was duly declared the purchaser at the said sale; and

WHEREAS, this deed is made in accordance with the terms and provisions of said deed of trust and the sale held thereunder, as aforesaid;

NOW, THEREFORE, in consideration of the premises and the further consideration of the sum of Fifty-Four Thousand One Hundred and No/100 ($54,100.00) Dollars, paid by Old Hickory Lumber Division, Stringfellow Lumber Company, Inc., the receipt of which is hereby acknowledged, I, Michael J. Philbin, Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto Old Hickory Lumber Division, Stringfellow Lumber Company, Inc., its successors and assigns, the following tract of land in Davidson County, Tennessee, and more particularly described as follows, to-wit:

> Being land in Davidson County, Tennessee, Lot No. 378 and Lot No. 379 in Highlands of Tulip Grove, Section III, of record in Book 4675, Page 26, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 378 fronts 78' on the westerly side of Netherlands Drive and runs back 170' on the northerly line and 170.79' on the southerly line to a dead line measuring 104.57'.
>
> Said Lot 379 fronts 78' on the westerly side of Netherlands Drive and runs back 169.07' on the northerly line and 170.00' on the southerly line to a dead line measuring 88.75' thereon.
>
> Being the same property conveyed to Bobby Smith Builders, Inc., by deed from Reynold Bubis, Successor-Trustee, and recorded in Book 5173, Page 143, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Old Hickory Lumber Division, Stringfellow Lumber Company, Inc., its successors and assigns forever as fully and completely as the trustee can or ought to convey under the power vested in him in said deed of trust and his appointment as trustee; and said trustee, the Grantor herein, does hereby convey, transfer and assign to Old Hickory Lumber Division, Stringfellow Lumber Company, Inc., its successors and assigns all the warranties and covenants made in said deed of trust.

This conveyance is made subject to any and all unpaid taxes which exist as a lien against said property.

IN WITNESS WHEREOF, the said Michael J. Philbin, Trustee, has hereunto set his hand this 10th day of October, 1978.

Michael J. Philbin, Trustee

Michael J. Philbin, Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael J. Philbin, 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 Nashville, Tennessee, this 10th day of October, 1978.

Sherry A. Essary
Notary Public

My Commission Expires: 10-18-81

THIS INSTRUMENT PREPARED BY:

Michael J. Philbin
GLASGOW, ADAMS, TAYLOR & PHILBIN
300 James Robertson Parkway
Nashville, Tennessee 37201

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $54,100.00.

AFFIANT

Sworn to and subscribed before me this 10th day of October, 1978.

Sherry A. Essary
Notary Public

My Commission Expires: 10-18-81

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TENN.
OCT 10 3 36 PM '78
IDENTIF. REFERENCE
E 9 3 4 4 7

OCT 10 CONV 54,100.00
OCT 10 S TAX B* 140.66
OCT 10 PRTFEE B* .50
OCT 10 W/DEED B* 6.00 * 147.16