This instrument was prepared by
WOODS & WOODS (JNB)
A Professional Association
121 17th Avenue South
Nashville, Tennessee 37203

BOOK 5368 PAGE 459

FORECLOSURE DEED

New Owner:	Send Tax Bills to:	Field Book No.
GARY WADDEY 649 Atlanta Dr. Hermitage, TENN. 37076	New Owner	Map: 83-6-240 Parcel:

Richard Ashworth, Trustee

to

GARY WADDEY + wife CAROLYN FAE WADDEY

WHEREAS, Smith E. Appleby and wife, Mada L. Appleby executed a certain deed of trust dated September 26, 1975 by which they conveyed to Richard Ashworth, Trustee for United American Bank of Nashville (formerly The Hamilton Bank of Nashville) certain property hereinafter described to secure the payment of one promissory note therein described in the original amount of $15,000, along with all extensions and renewals thereof, which Deed of Trust is recorded in Book 4956, page 943, Register's Office of Davidson County, Tennessee; and

WHEREAS, Smith E. Appleby, co-maker of said deed of trust and promissory note, subsequently filed a Petition for Voluntary Bankruptcy in the United States District Court for the Middle District of Tennessee on November 4, 1977, being bankruptcy number 77-31702; and James Jones, being subsequently appointed trustee by said court did file an application to abandon the trustee's interest in the real estate described in said deed of trust, such abandonment being subsequently ordered by the Honorable Ruth Kinnard, Bankruptcy Judge on March 8, 1978; and,

WHEREAS, by the terms of said Deed of Trust the lawful owner and holder of the indebtedness secured hereby was empowered upon default in the performance of the covenants, terms

and conditions of said Deed of Trust, to declare the amount of the principal indebtedness secured thereby, due and payable, and the said Trustee, was thereupon directed and empowered, upon giving 4 weeks notice, by a publication in Davidson County, Tennessee, to see said property at the courthouse door in said county to the highest bidder for cash, at public outcry, free from the equity of redemption, homestead, dower which were expressly waived and provided for in said Deed of Trust and to make a deed to the purchaser; and

WHEREAS, default having occurred in the performance of the covenants, terms and conditions, of said Deed of Trust, and by reason of said default the owner and holder of said promissory note, pursuant to the powers contained in said Deed of Trust, declared the entire amount of said indebtedness due and payable and said Trustee gave notice by four (4) weekly publications in the Nashville Record, a newspaper published in Davidson County, Tennessee, said notices appearing on November 2,9,16 and 23, 1978, that he would on the 27th day of November, 1978, at 12:00 noon at the front door of the courthouse at Nashville, Davidson County, Tennessee offer for sale certain property hereinafter described to the highest and best bidder for cash, free from the equity of redemption, homestead, dower which were expressly waived as provided for in said Deed of Trust, but subject to any unpaid taxes that may constitute a lien against the property, in order to satisfy said debt and unpaid interest thereon, together with the expenses of the sale and at said time and place, said Trustee offered said property for sale and GARY Waddey et ux offered therefore the sum of $16,936.00 cash, which was the highest and best bid and said property was sold to the said GARY Waddey et ux.

Now, therefore, in consideration of the premises and for the sum of $16,936.00 to me, in hand paid, the receipt of which is hereby acknowledged, I, Richard Ashworth, Trustee, by virtue of the powers and authority vested in me by said Deed of Trust have bargained and sold and do hereby transfer

and convey unto said GARY Waddey, their successors and assigns, a certain lot or parcel of land situated in Davidson County, Tennessee, and being more particularly described as follows:

LAND in Davidson County, Tennessee, being 5 feet off of the East Side of Lot No. 3 and all of Lot No. 4 in Olivia W. Sharpe's Addition to Nashville, a plan of which is of record in Book 332, page 17, of the Register's Office for said Davidson County, Tennessee.

SAID part of Lot No. 3 and Lot No. 4 together front 55 feet on the North side of Eastland Avenue, and run back Northwardly between parallel lines 175 feet to an alley.

BEING the same property conveyed to Smith E. Appleby and wife, Mada L. Appleby, by deed from O.B. Hofstetter, Trustee, of record in Book 3311, page 207, Register's Office for Davidson County, Tennessee.

To have and to hold said property to the said GARY Waddey et ux, their successors and assigns, forever.

The said, Richard Ashworth, Trustee, transfers and conveys to the said GARY Waddey, et ux, all the warranties and all covenants conveyed in said installment deed in as full a manner as he can or should convey under the power invested in him as trustee but not otherwise.

This conveyance is made subject to all unpaid taxes, and any encumbrances, liens or restrictions regarding said property.

This 27Th day of November, 1978.

Richard Ashworth

RICHARD ASHWORTH, TRUSTEE

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STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me James N. Bryan, Jr. a notary public in the said county and state, the within named bargainor, Richard Ashworth, Trustee, with whom I am personally acquainted and who acknowledged that he, as trustee, executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 27th day of November, 1978.

NOTARY PUBLIC

JAMES N. BRYAN, JR. NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires:

1-18-82

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration paid in this transfer is $16,936.00.

AFFIANT

Sworn and subscribed to me this 27th day of November, 1978.

NOTARY PUBLIC

JAMES N. BRYAN, JR. NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires:

1-18-82

FELIX Z. WILSON, REGISTER DAVIDSON COUNTY, TENN. Nov 28 2 38 PM '78

IDENTIF. REFERENCE

F 02189

NOV28 78	CONV	16,936.00			
NOV28 78	S'TAX		B*	43.94	
NOV28 78	PR'FEE		B*	.50	
NOV28 78	W'DEED		B*	8.00	* 52.44