4730 [illegible] BOOK 5742 PAGE 985

# DEED IN LIEU OF FORECLOSURE

FROM: WAYNE BURNETT et ux, SANDRA G. BURNETT

TO: GEORGE B. TREADWAY et ux, DIXIE S. TREADWAY

| Address New Owner: | Send Tax Bills to: | Map-Parcel |
|---|---|---|
| George B. Treadway<br>et ux, Dixie S. Treadway<br>607 Lakeshore Drive<br>Leesburg, Florida 32748 | George B. Treadway<br>et ux, Dixie S. Treadway<br>607 Lakeshore Drive<br>Leesburg, Florida 32748 | Map 119-1<br>Parcel 54<br>Field Bk. 6DA15623 |

THIS INSTRUMENT PREPARED BY: Michael J. Philbin, Attorney
Adams, Taylor, Philbin, Pigue
and Marchetti
300 James Robertson Parkway
Court Square Building
Nashville, Tennessee 37201

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $15,500.00.

Wayne Burnett
Affiant

Sworn to and subscribed before me this 28th day of April, 1981.

Linda S. Insdale
Notary Public

My Commission Expires:

10-18-81

THIS INDENTURE, made this 28 day of April, 1981, between Wayne Burnett et ux, Sandra G. Burnett, hereinafter called Grantors, and George B. Treadway et ux, Dixie S. Treadway hereinafter called Grantees.

WITNESSETH: That for and in consideration of the sum of One Dollar ($1.00) cash in hand paid, the receipt of which is hereby acknowledged, the full cancellation and satisfaction of the mortgage indebtedness described below, and other valuable considerations, the Grantors have bargained and sold, and by these presents do transfer and convey unto the said Grantees, a certain tract or parcel of land in Davidson County, Tennessee described as follows, to wit:

> LAND in Davidson County, Tennessee, being the east 35 feet of Lot No. 29 and the west 23 feet of Lot No. 30 on the Map of the Subdivision of G. P. Rose's Property, of record in Book 547, Page 74, Register's Office for said County.
>
> Said parts of said lots adjoin and front together 58 feet on the south side of Hester Avenue and run back between lines 156.2 feet on the west line of part of Lot No. 29 and 161.1 feet on the east line of part of Lot No. 30 to a dead line in the rear on which they measure 58.1 feet, more or less.

EXCLUDED from this conveyance is that portion of part of Lot. No. 29 and part of Lot 30 conveyed to the State of Tennessee, Department of Highways, by instrument of record in Book 4371, page 551, Register's Office for said County, described as follows:

BEGINNING at a point in a dead line, being Katherine Hahn's northwest corner and being 23 feet east of the common corner of Lots 29 and 30 on said plan; thence with said dead line westwardly 58.1 feet to H. N. Brittian's southeast corner; thence with Brittian's line northwardly 94.2 feet to a point; thence south 69° 26' East 60.6 feet to Hahn's west boundary; thence with said boundary southwardly 80.5 feet to the point of beginning and containing 0.114 acres more or less.

BEING the same property conveyed to Wayne Burnett et ux, Sandra G. Burnett by deed from George B. Treadway et ux, Dixie S. Treadway of record in Book 5392, page 245, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the Grantees, their successors and assigns, forever. We covenant with the said Grantees that we are lawfully seized and possessed of the said land in fee simple, have a good right to convey it, and the same is unencumbered except as otherwise herein set out.

We further convenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said Grantees, their successors and assigns, against the lawful claims of all persons whomsoever.

This deed is an absolute conveyance of title in effect as well as in form, and is not intended as a mortgage, trust, conveyance or security of any kind. The consideration therefor in addition to that hereinabove set out is the full release of all debts, obligations and charges heretofore existing on account of any by the terms of that certain installment deed on the property herein conveyed. Said installment deed is dated the 26th day of January, 1979, executed by Wayne Burnett, et ux, Sandra G. Burnett and recorded in Book 5392, Page 245, Register's Office for Davidson County, Tennessee and this conveyance is for the purpose of completely satisfying said obligation and terminating said installment deed and note secured thereby, and any effect thereof in all respects.

IN WITNESS WHEREOF, the parties have hereunto signed their names on the date first written above.

Wayne Burnett
WAYNE BURNETT

Sandra G. Burnett
SANDRA G. BURNETT

That the aforesaid deed and conveyance was made by these deponents as the result of their request that the Grantees accept such deed and was their free and voluntary act; that at the time of making said deed, these deponents felt and still feel that the mortgage indebtedness above mentioned represented a fair value of the property so deeded; that said deed was not given a preference against any other creditors of the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than the Grantees therein named interested, either directly or indirectly in said premises; that these deponents are solvent and have no other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said deed; and that deponents in offering to execute the aforesaid deed to the Grantee therein, and in executing the same, were not acting under any duress, undue influence, misapprehension or misrepresentation by the Grantees in said deed, or the agent or attorney or any other representative of the grantee in said deed, and that it was the intention of these deponents as grantors in said deed to convey and by said deed these deponents did convey to the Grantees therein all their right, title and interest absolutely in and to the premises described in said deed.

This affidavit is made for the protection and benefit of the aforesaid grantees in said deed, their successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators, and assigns of the undersigneds.

IN WITNESS WHEREOF, the parties have signed their names hereto on this 28 day of April, 1981.

Wayne Burnett
WAYNE BURNETT

Sandra G. Burnett
SANDRA G. BURNETT

Sworn to and subscribed before me this 28th day of April, 1981.

Linda S. Griselale
NOTARY PUBLIC

MY COMMISSION EXPIRES: 10-18-81

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

IDENTIF. REFERENCE

MAY 8 12 33 PM '81
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

G.4.1.0.3.6

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Wayne Burnett, et ux, Sandra G. Burnett, the bargainors, with whom I am personally acquainted and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 28th day of April, 1981.

Linda S. Griselale
NOTARY PUBLIC

MY COMMISSION EXPIRES:

10 18 81

**OFFICIAL RECEIPT**

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____ BOOK 5742 PAGE 988

FOR _____

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | 15500.00- MO | |
| | VD | | 15500.00 MO | |
| | | | 40.30 CO TX | |
| | | | 15500.00- CO | |
| | | | 40.30 CO TX | |
| | | | 15500.00- CO | |
| | | | .50 PRFEE | |
| | | | 9.00 WDEED | |
| | | | CHECK 49.80- | |
| | | | 4730A05/06/81 BAL .00 | |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

G.4.1-0.3.6

IDENTIF. REFERENCE

MAY 8 12 33 PM '81

FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

No. 821055