File 41

1478

H.O. 2549

This instrument prepared by:

Stephen W. Ramp
FARRIS, WARFIELD & KANADAY
Seventeenth Floor
Third National Bank Building
Nashville, Tennessee 37219

IDENTIF. REFERENCE

AUG 3 4 16 PM '82
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

Address New Owner(s) as Follows: Third National Bank in Nashville
201 Fourth Ave.
Nashville, TN. 37244

Send Tax Bills To: Same

Map Parcel No.: 144-12 9

Field Book No.: FH 17795

BOOK 5919 PAGE 722

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this the 3rd day of August, 1982, by and between Roberta B. Bartusch, Substitute Trustee, hereinafter called "Substitute Trustee" and Third National Bank in Nashville, hereinafter called "Buyer"; and

WHEREAS, by Deed of Trust dated the 31st day of December, 1974, of record in Book 4879, page 49, Register's Office for Davidson County, Tennessee, Charles R. Gaw and wife, Deanne Gaw conveyed to James L. Roberts, Trustee, the hereinafter described real estate, to secure payment to Third National Bank in Nashville of a Note dated December 31, 1974, in the original principal amount of Seventy Thousand Dollars ($70,000.00); and

WHEREAS, on May 5, 1980, said Deed of Trust was modified and the amount increased to One Hundred Forty Thousand and no/100 Dollars ($140,000.00), of record in Book 5600, page 354, Register's Office for Davidson County, Tennessee; and

WHEREAS, James L. Roberts was unable to serve as such Trustee and the lawful holder of the Note, Third National Bank in Nashville appointed Roberta B. Bartusch to serve as Substitute Trustee in accordance with the terms of said Deed of Trust by an instrument of record in Book 5906, page 125, Register's Office for said County; and

WHEREAS, the indebtedness secured by said Deed of Trust became overdue and unpaid, and other conditions of default occurred, by reason of which the lawful owner and holder of the indebtedness secured by said Deed of Trust declared the Deed of Trust and Note to be in default, and twenty (20) days notice was given of such default to Charles R. Gaw, in the manner required by the terms of said Deed of Trust, and following such notice the default was not cured; and

WHEREAS, the lawful holder of the Note secured by the Deed of Trust directed the Substitute Trustee to sell the property held as security under the Deed of Trust as provided therein, and the Substitute Trustee caused notice to be published in the Nashville

Record that the property would be sold at 12:00 o'clock noon on August 3, 1982, at the south (front) door of the Courthouse in Davidson County, Tennessee, such advertisement appearing in said paper on July 8, July 15, and July 22, 1982, and sent a copy of such notice to Charles R. Gaw and wife, Deanna Gaw and following such notice the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said notices offered the property for sale, and after opening the floor for competitive bids, sold said property to Third National Bank in Nashville, at the price of One Hundred Twenty Six Thousand Eight Hundred Five and 88/100 Dollars ($ 126,805.88), this being the highest, last and best bid.

NOW, THEREFORE, I, Roberta B. Bartusch, Substitute Trustee as aforesaid, in consideration of the premises and the sum of One Hundred Twenty-Six Thousand Eight Hundred Five 88/100 Dollars ($ 126,805.88), to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto Third National Bank in Nashville, its heirs, successors and assigns, all of my right, title and interest in and to the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

> Being Lot No. 49 on the Plan of Otter Creek Hills, as of record in Book 2900, pages 110 and 111, Register's Office for said County, described as follows:
>
> BEGINNING in the northerly margin of East Ashland Drive, and at the corner of Lots No. 49 and 50; thence easterly with said Drive, 151.9 feet to a monument; thence around a curve in a northerly direction 36.2 feet to a monument in the west margin of Maplemere Drive; thence with the margin of the same, northerly 208.2 feet to a monument and continuing with said Drive, 30 feet to a monument at the corner of Lts. Nos. 48 and 49; thence westerly with the line between said lots, 305.5 feet to the corner of Lots Nos. 49 and 50; thence southerly with the line between said lots, 367 feet to the point of beginning.
>
> Being part of the same property conveyed to Charles R. Gaw and wife, Deanna Gaw, by deed from William Walter Walker and wife, Sarah H. Walker, of record in Book 3830, page 465, Register's Office, Davidson County, Tennessee.

To have and to hold the aforesaid real estate, together with all improvements thereon, unto Third National Bank in Nashville, its heirs, successors and assigns, in fee simple forever, and in bar of all right or equity of redemption and Roberta B. Bartusch, as Trustee, does hereby transfer, assign and set over to the Buyer all of the covenants and warranties contained in the aforesaid Deed of Trust and does hereby warrant the title as fully as he is authorized to do as Trustee, but not further or otherwise.

Said sale is subject to certain easements, restrictions, liens, taxes, etc., including, but not limited to the following:

(1) Any and all unpaid taxes.

(2) Any mechanics' and materialmen's liens, filed or unfiled.

(3) Title to that portion of the premises lying within the bounds of any roads, streets, or highways.

(4) Such easements and restrictions as may be applicable.

(5) Any other liens, defects, encumbrances, adverse claims or other matters which take prior over the Deed of Trust under which said foreclosure was held or which affect the land herein conveyed.

(6) Any rights of redemption or otherwise held by the Internal Revenue Service or the State of Tennessee.

(7) Rights or claims of parties in possession.

(8) Encroachments, overlaps, boundary line disputes or other matters which would be shown by an accurate survey or inspection of the premises.

WITNESS the signature of the Substitute Trustee on this the day and date first above written.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 24,508.58
Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 3rd DAY OF August 19 82
Deputy Register

Roberta B. Bartusch
ROBERTA B. BARTUSCH, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Ann Reid Nichols, a Notary Public of the State and County aforesaid, personally appeared ROBERTA B. BARTUSCH, with whom I am personally acquainted, and who, upon oath, acknowledged herself to be the Substitute Trustee, and that she as such Substitute Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing her name as Substitute Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this 3rd day of August, 1982.

Ann Reid Nichols
Notary Public

My commission expires: July 21, 1985

OFFICIAL RECEIPT

FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

BOOK 5919 PAGE 725

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
			126000.00	CO
			329.68	CO TX
			.50	PRFEE
			9.00	WDEED
			CHECK	339.18-
			1476A06/03/82 BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

H 0 2 5 4 9

IDENTIF. REFERENCE

AUG 3 4 10 PM '82

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 894900