Return To:
Third National Bank in Nashville
Nashville, TN. 37244

This Instrument Prepared By:
James Wm. Hofstetter, Jr.
Third National Bank
Legal Department
P.O. Box 2704 - Uptown Station
Nashville, TN. 37219

MAP 131-06
& PAR. 032

TRUSTEE'S DEED OF CORRECTIONS CORRECTING TRUSTEE'S DEED OF RECORD IN BOOK 5944, PAGE 85, REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE

BOOK 5947 PAGE 257

This instrument made and entered into this 7th day of October, 1982, by and between JAMES WM. HOFSTETTER, JR., Successor Trustee, and THIRD NATIONAL BANK IN NASHVILLE, to correct an erroneous description of real property contained in the Trustee's Deed previously recorded in Book 5944, Page 85, Register's Office of Davidson County, Tennessee.

WITNESSETH:

WHEREAS, on the 1st day of May, 1980, James S. Lively, Jr. and wife, Milbrey E. Wade Lively, did execute and deliver to Paul R. White, a Deed of Trust securing certain indebtedness described therein. Said Deed of Trust being recorded on the 12th day of May, 1980, in the Register's Office of Davidson County, Tennessee, in Book 5600, Page 760, wherein the following tracts of land were conveyed to the said Paul R. White, as Trustee:

TRACT I: Land in Davidson County, Tennessee, being the easterly part of Lot No. 3 of Block 7 on the Plan of Overton Hills, as of record in Book 843, page 66, Register's Office for said County, described as follows:

Beginning on the southerly margin of Castleman Drive at the corner of Lots Nos. 3 and 4; thence with said drive westwardly 100 feet to a point 13 feet east of the corner of Lots Nos. 2 and 3; thence southwardly 219 feet, more or less, to another corner of Lots Nos. 2 and 3; thence eastwardly 131 feet to the corner of Lots Nos. 3 and 4, thence with the line between said two lots northwardly 194.1 feet to the beginning.

Being the same property conveyed to James S. Lively, Jr. by deed from Thomas L. McDonald and wife, Emily C. McDonald of record in Book 4146, page 604, said Register's Office for Davidson County, Tennessee.

TRACT II: Land in Davidson County, Tennessee, being the south half of Lot No. 21 on the Plan of Belair, as of record in Book 332, page 6, Register's Office for Davidson County, Tennessee, described as follows:

H I I 8 2 7

IDENTIFICATION REFERENCE

OCT 7 1 57 PM '82

FELIX A. ... REGISTER
DAVIDSON COUNTY, TN

RUSH

Beginning on the northerly margin of Belair Avenue 200 feet westerly from the westerly margin of Tulip Avenue, being the corner of Lots 20 and 21; thence with the line between said two Lots, northerly, 192 feet, to a point half way between Belair Avenue and Westwood Avenue, thence westerly parallel with said two Avenues; 200 feet to the line between Lots 21 and 22, thence with said line southerly 192 feet to the northerly margin of Belair Avenue; thence with the northerly margin of said Avenue easterly 200 feet to the beginning.

Being the same property conveyed to Kathleen Wade, by deed from H. W. Wade and Kathleen Wade, of record in Book 785, page 653, said Register's Office. The said Kathleen Wade having since died and devised said property to Milbrey E. Wade by Will, of record in Will Book 113, page 75, Probate Court Clerk's Office for Davidson County, Tennessee. The said Milbrey E. Wade is now Milbrey E. Wade Lively.

and;

WHEREAS, by instrument of record in Book 5930, Page 990, Register's Office for Davidson County, Tennessee, James Wm. Hofstetter, Jr. was appointed as Successor Trustee and was vested with all the rights, powers and privileges of the original Trustee in said Deed of Trust, and;

WHEREAS, default was made in the payments of the indebtedness and interest as the same became due and payable on the note secured by said Deed of Trust, and the owner and holder of said note elected to declare the entire amount due and payable and instructed the undersigned, James Wm. Hofstetter, Jr., as Successor Trustee, to foreclose said Deed of Trust and to advertise and sell the property conveyed therein, and;

WHEREAS, on Thursday, the 30th day of September, 1982, at 12:00 Noon, the Successor Trustee at the south front door of the Courthouse for Nashville, Davidson County, Tennessee, offered for sale subject to all unpaid taxes, if any, of record, restrictive covenants, easements and any and all prior mortgages of record, if any, and in lieu of the equity of redemption, as provided in said Deed of Trust, the following described real property and this real property only:

"TRACT I: Land in Davidson County, Tennessee, being the easterly part of Lot No. 3 of Block 7 on the Plan of Overton Hills, as of record in Book 843, page 66, Register's Office for said County, described as follows:

Beginning on the southerly margin of Castleman Drive at the corner of Lots Nos. 3 and 4; thence with said drive westwardly 100 feet to a point 13 feet east of the corner of Lots Nos. 2 and 3; thence southwardly 219 feet, more or less, to another corner of Lots Nos. 2 and 3; thence eastwardly 131 feet to the corner of Lots Nos. 3 and 4, thence with the line between said two lots northwardly 194.1 feet to the beginning.

Being the same property conveyed to James S. Lively, Jr., by deed from Thomas L. McDonald and wife, Emily C. McDonald of record in Book 4146, page 604, said Register's Office for Davidson County, Tennessee",

the said Trustee offering for sale only this real property, (2039 Castleman Drive, Nashville, Tennessee 37215) and not the real property described in TRACT II of the Deed of Trust of record in Book 5600, page 760, Register's Office for Davidson County, Tennessee.

WHEREAS, by inadvertence and mistake the Trustee's Deed of record in Book 5944, Page 85, contained the legal description of the real property described in TRACT II, this property not being offered for sale at the said foreclosure sale and was not sold at said foreclosure sale.

NOW, THEREFORE, for good and valuable consideration and for the purpose of correcting the Trustee's Deed of record in Book 5944, Page 85, Register's Office for Davidson County, Tennessee, in order to correctly describe the real property which was offered for public sale and sold and conveyed by the Trustee to Third National Bank in Nashville, on September 30, 1982, for the sum of TWENTY-FIVE THOUSAND ($25,000.00) DOLLARS cash, said Trustee's Deed is hereby corrected and amended as follows:

For and in consideration of the Grantee having paid the Successor Trustee the sum of TWENTY-FIVE THOUSAND ($25,000.00) DOLLARS, receipt of which is hereby acknowledged, the Successor Trustee having this day bargained and sold and does hereby sell, Transfer and convey unto said Grantee its successors and assigns forever the following described real property located in Davidson County, Tennessee:

TRACT I: Land in Davidson County, Tennessee, being the easterly part of Lot No. 3 of Block 7 on the Plan of Overton Hills, as of record in Book 843, page 66, Register's Office for said County, described as follows:

Beginning on the southerly margin of Castleman Drive at the corner of Lots Nos. 3 and 4; thence with said drive westwardly 100 feet to a point 13 feet east of the corner of Lots Nos. 2 and 3; thence southwardly 219 feet, more or less, to another corner of Lots Nos. 2 and 3; thence eastwardly 131 feet to the corner of Lots Nos. 3 and 4, thence with the line between said two lots northwardly 194.1 feet to the beginning.

Being the same property conveyed to James S. Lively, Jr., by deed from Thomas L. McDonald and wife, Emily C. McDonald of record in Book 4146, page 604, said Register's Office for Davidson County, Tennessee.

This is improved property located at 2039 Castleman Drive, Nashville, Tennessee 37215.

TO HAVE AND TO HOLD the aforesaid real estate, any improvements thereon, and to said Grantee, its successors and assigns, in fee simple forever and in bar of all rights of equity and redemption.

WITNESS the signature of the Successor Trustee on October 7th, 1982.

James W. Hofstetter, Jr.
JAMES WM. HOFSTETTER, JR.
Successor Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, Virginia Daniel, a Notary Public in and for said county and state, the within named James Wm. Hofstetter, Jr., Successor Trustee, with whom I am personally acquainted and who acknowledged that he executed the within Trustee's Deed of Corrections for the purposes therein contained.

WITNESS my hand and affixed seal in Nashville, Davidson County, Tennessee, this 7th day of October, 1982.

Virginia Daniel
NOTARY PUBLIC

My Commission Expires:
Jan. 15, 1985