BOX 41

This instrument prepared by:
Robert N. Buchanan, III
FARRIS, WARFIELD & KANADAY
Seventeenth Floor
Third National Bank Building
Nashville, Tennessee 37219

BOOK 5951 PAGE 562

Address New Owner(s) as Follows: Send Tax Bills To: Map Parcel No.:
Secretary of Housing same 15DZ-55690
and Urban Development 15DZ-55685
Washington, D.C.

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this the 8th day of October, 1982, by and between Robert N. Buchanan, III, Substitute Trustee, hereinafter called "Substitute Trustee" and the Secretary of Housing and Urban Development, his successors and assigns, hereinafter called "Buyer"; and

WHEREAS, by Deed of Trust dated the 30th day of April, 1980, of record in Book 5597, page 639, Register's Office for Davidson County, Tennessee, Thomas E. Billings and wife, Donna Lynn Billings conveyed to Warren H. Wild, Jr., Trustee, the hereinafter described real estate, to secure payment to Tennessee Housing Development Agency of a Note dated April 30, 1980, in the original principal amount of Twenty-Six Thousand Eight Hundred Fifty Dollars ($26,850.00); and

WHEREAS, Warren H. Wild, Jr. was unable to serve as such Trustee and the lawful holder of the Note, Tennessee Development Housing Agency appointed Robert N. Buchanan, III to serve as Substitute Trustee in accordance with the terms of said Deed of Trust by an instrument of record in Book 5936, page 123, 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-one (21) days notice was given of such default to Thomas E. Billings and wife Donna Lynn Billings, 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 October 8, 1982, at the south (front) door of the Courthouse in Davidson County, Tennessee, such advertisement

appearing in said paper on September 16, 23, and 30, 1982, and sent a copy of such notice to Thomas E. Billings and wife Donna Lynn Billings 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 Secretary of Housing and Urban Development, at the price of twenty eight thousand seven hundred ninety seven + 47/100 Dollars ($28,797.47), this being the highest, last and best bid.

NOW, THEREFORE, I, Robert N. Buchanan, III, Substitute Trustee as aforesaid, in consideration of the premises and the sum of twenty eight thousand seven hundred ninety seven and 47/100 Dollars ($28,797.47), to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto the Secretary of Housing and Urban Development, his 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:

> Lot 58 and the easterly one-half of Lot 59 on the Plan of Waters Place on Maxey Lane as of record in Book 332, page 136 and 137, Register's Office for said County.
>
> Said Lot 58 and part of Lot 59 front together 110 feet, more or less, on the southerly side of Evelyn Avenue and extend back 145 feet on the easterly line and 169 feet more or less on the westerly line to a dead line measuring 30.4 feet thereon.

To have and to hold the aforesaid real estate, together with all improvements thereon, unto Secretary of Housing and Urban Development, his heirs, successors and assigns, in fee simple forever, and in bar of all right or equity of redemption and Robert N. Buchanan, III, as Trustee, does hereby transfer, assign and set over to the Secretary of Housing and Urban Development 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.

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(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.

Robert N. Buchanan, III

ROBERT N. BUCHANAN, III,
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Regina B. Kuykendall, a Notary Public of the State and County aforesaid, personally appeared ROBERT N. BUCHANAN, III, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Substitute Trustee, and that he as such Substitute Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing his name as Substitute Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this 18 day of October, 1982.

Regina B. Kuykendall
Notary Public

My commission expires:
My Commission Expires APRIL 21, 1985

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

H 13091
IDENTIF. REFERENCE
Oct 18 4 09 PM '82
FELIX Z. WILSON II, REGISTER
DAVIDSON COUNTY, TN

The actual consideration or value whichever is greater, for this transfer is Twenty eight thousand seven hundred ninety seven 47/100 Dollars ($ 28,797.47).

Robert N. Buchanan, III

Affiant

Subscribed and sworn to before me this the 18 day of October, 1982.

Regina B. Kuykendall
Notary Public

My commission expires:
My Commission Expires APRIL 21, 1985

RNB/10-8-82