Responsible Taxpayer:
First Tennessee Bank National Association
Attn: Robert Turner, 701 Market St.
Chattanooga, Tennessee 37402

BOOK 6711 PAGE 585

This instrument prepared by:
Charles W. Kite
Suite 1000, Plaza Tower
Knoxville, Tennessee 37929

To be assigned

SUBSTITUTE TRUSTEE'S DEED

THIS INDENTURE made as of the 18th day of October, 1985 between CHARLES W. KITE, Substitute Trustee, of Knox County, Tennessee and First Tennessee Bank National Association.

WITNESSETH:

On August 31, 1984 Mildred A. Pogue and husband, Roy J. Pogue, executed a Deed of Trust to Warren Payne, Trustee, of record in Trust Book 6372, page 938, re-recorded in Trust Book 6375, page 677, in the Register's Office of Davidson County, Tennessee, to secure payment of a Note dated August 31, 1984 in the original principal amount of One Million Dollars ($1,000,000.00) payable to First Tennessee Bank, Knoxville, now First Tennessee Bank National Association. Warren Payne was replaced as Trustee by Charles W. Kite, by Appointment of Substitute Trustee, dated August 2, 1985, of record in Trust Book 6626, page 888, in the Register's Office of Davidson County, Tennessee. First Tennessee Bank National Association is the owner and holder of the Note secured by said Deed of Trust.

Default was made in payment of the indebtednesses secured by said Deed of Trust, and the holder of the indebtednesses, First Tennessee Bank National Association, has made demand upon Charles W. Kite to foreclose said Deed of Trust. On September 26, October 3, and October 10, 1985, Charles W. Kite published in a newspaper circulating in

Davidson County, Tennessee, a notice that the property encumbered by said Deed of Trust would be sold to the highest and best bidder at public auction at 2:15 p.m. on Friday, October 18, 1985 at the Davidson County Courthouse, Nashville, Tennessee. Pursuant to said Deed of Trust, and the notice published in accordance with T.C.A. § 35-5-101 and the provisions of the Deed of Trust, the property encumbered by said Deed of Trust was offered for sale at said time and place by Charles W. Kite. After receiving competitive bids, First Tennessee Bank National Association purchased the property at a price of Three Hundred Thousand Dollars ($300,000.00) pursuant to the provisions of the Deed of Trust as the highest and best bidder.

NOW, THEREFORE, IN CONSIDERATION of the foregoing and the sum of Three Hundred Thousand Dollars ($300,000.00), the receipt and sufficiency of which is hereby acknowledged, Charles W. Kite, Substitute Trustee, does hereby grant, bargain, sell, and convey unto First Tennessee Bank National Association that certain property described as follows in said Deed of Trust:

> Land in Davidson County, Nashville, State of Tennessee, described as follows:
>
> Being Lot No. 2 on the Resubdivision of Lots 24, 25, 26, 27, 28 and 29 on the Revised Plan of New Gold Club Subdivision, as of record in Book 4300, page 199, and corrected by Surveyors Certificate of Correction, in Book 4662, page 427, and described as follows:
>
> BEGINNING at a point in the southerly margin of Harding Place, said point being the common front corners of Lots Nos. 1 and 2; thence along the margin of said Harding Place, south 87 degrees 44 minutes east 248.8 feet to a point at the southeast intersection of Lynwood Boulevard and Harding Place; thence along the westerly margin of Lynwood Boulevard, south 11 degrees 10 minutes west 254.0 feet to a point; thence leaving Lynwood Boulevard and with the northerly margin of the

Harold G. Oliphant property, north 79 degrees 01 minutes west 243.5 feet to a point; said point being the common rear corners of Lots Nos. 1 and 2; thence along the dividing line between said Lots Nos. 1 and 2, north 10 degrees 29 minutes east 216.3 feet to a point in the southerly margin of Harding Place, the point of beginning.

Being the same property conveyed to Roy J. Pogue and wife, Mildred A. Pogue by Warranty Deed, dated August 22, 1983, from Lilia D. Mauricio, of record in Book 6120, page 687, in the Register's Office for Davidson County, Tennessee, the said Roy J. Pogue having quitclaimed his interest to Mildred A. Pogue, of record in Book 6161, page 418, in the Register's Office for Davidson County, Tennessee. This is improved real property.

Said sale shall be made for cash in bar of all right and equity or redemption, homestead, and dower, and all other rights or exemptions of every kind, all of which are expressly waived in said Deed of Trust, but subject to the following:

1. Any unpaid taxes against the property.

2. Rights or claims of parties in possession not shown by the public records.

3. Easements, claims of easements, not shown by public records.

4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

5. The Plan of record in Book 4300, page 199, as corrected in Book 4662, page 427, said Register's Office, shows an Owner's Certificate, a 75 foot minimum building setback line from Lynwood Boulevard and Harding Place.

6. A 25 foot radius return easement at corner bounded by intersection of Lynwood Boulevard and Harding Place.

7. Any recorded conditions, covenants or subdivision plats affecting the property;

8. Any dedication of roads affecting the property; and

9. Any prior or superior liens, judgments or deeds of trust.

Charles W. Kite, as Substitute Trustee, does hereby grant, bargain, sell and convey unto First Tennessee Bank National Association all of the covenants and warranties contained in the Deed of Trust and does warrant the title as against all persons claiming by and through or under Charles W. Kite, but no further or otherwise.

IN WITNESS WHEREOF, I have hereunto set my hand as of the date and year first above stated.

Charles W. Kite, Substitute Trustee

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater is Three Hundred Thousand Dollars ($300,000.00)

Affiant, Charles W. Kite

Subscribed and sworn to before me this 13th day of November, 1985.

Notary Public

Comm. exp. 11-30-87

STATE OF TENNESSEE)
) SS:
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, Charles W. Kite, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal, at office, in Davidson County, this 13th day of October, 1985.

Notary Public

My commission expires: My commission expires Nov. 30, 1987

53804

IDENTIFICATION REFERENCE

Nov 18 3 14 PM '85

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

OFFICIAL RECEIPT

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

RECEIVED OF _____ BOOK 6711 PAGE 589

FOR _____

CO -CONVEYANCE
MO -MORTGAGE
WD -WARRANTY DEED
TD -TRUST DEED

CC -CERTIFIED COPY
REL -RELEASE
UCC -UNIFORM COMMERCIAL CODE

MISC -MISCELLANEOUS
CO TX -STATE TAX CONVEY
MO TX -STATE TAX MORT
PRFEE -PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
			300000.00- CAPT.	
			780.00 CSTAX	
			.50 PRFEE	
			12.00 WDEED	
			CHECK	792.50-
			7673A11/18/85 BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

5 3 8 0 4

IDENTIFI REFERENCE

Nov 18 3 14 PM '85

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 192859