Box 5

BOOK 7217 PAGE 422

# TRUSTEE'S DEED

Michael J. Philbin,
Successor-Trustee

to

The Kissell Company
30 Warder Street
Springfield, Ohio 45501
SEND TAX BILLS HERE
OWNER

Map #50-10
Parcel #113
Field Book #12D 87227

WHEREAS, Paul E. Johnson executed a deed of trust on the 29th day of April, 1985, which was recorded in Book 6550, Page 548, Register's Office for Davidson County, Tennessee, conveying to Phillip E. Hill, Trustee, the property hereinafter described to secure payment to Provident Mortgage Corporation, of a promissory note referred to in said deed of trust; and

WHEREAS, the obligations of the aforesaid deed of trust and note were subsequently assumed by James T. Patterson in a deed of record in Book 6863, Page 186, R.O.D.C.; and

WHEREAS, pursuant to the provisions of said deed of trust, the undersigned, Michael J. Philbin was appointed Successor-Trustee, said appointment being dated the 4th day of February, 1987, and recorded in Book 7180, Page 202, Register's Office for Davidson County, Tennessee; and

WHEREAS, default occurred in the payment of said note described in and secured by said deed of trust, and in accordance with the terms and provisions thereof, all of the indebtedness was declared due and payable, and the Grantor herein, as Trustee, was instructed to advertise and sell the property for the satisfaction of said indebtedness; and

WHEREAS, the sale was advertised in accordance with the terms of the deed of trust, said advertisement being made for twenty-one (21) days by three weekly notices published in the Nashville Record Newspaper, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the said advertisement, said sale was held at the time and place advertised, to-wit: April 27, 1987 at 12:00 noon at the front door of the Courthouse in Nashville, Davidson County, Tennessee,

at public outcry to the highest and best bidder for cash in bar of all equities of redemption, the statutory right of redemption, homestead, dower and all other rights or exemptions of every kind, all of which were expressly waived in said deed of trust; and

WHEREAS, the Grantee herein, The Kissell Company, being the highest and best bidder at said sale with a bid of Forty-Nine Thousand Seven Hundred Four and 94/100 Dollars ($49,704.94), was duly declared the purchaser at said sale; and

WHEREAS, this deed is made in accordance with the terms and provisions of said deed of trust and the notice of sale hereinabove referred to..

NOW, THEREFORE, in consideration of the premises and the further consideration of the sum of Forty-Nine Thousand Seven Hundred Four and 94/100 Dollars ($49,704.94), paid by The Kissell Company, the receipt of which is hereby acknowledged, I, Michael J. Philbin, Successor-Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto The Kissell Company, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to wit:

> Being Lot 55-B, Zone Lot Division, Lots 8-11, 35-37, 54-62 on the plan of Chesapeake Homes, Section 3, as of record in Book 5200, Page 770, Register's Office for said County, to which plan reference is hereby made for a more complete and detailed description of said lot.
>
> Being the same property conveyed to Paul E. Johnson, by deed of record in Book 6550, Page 545, and subsequently conveyed to James T. Patterson by deed of record in Book 6863, Page 186, Register's Office for Davidson County, Tennessee.
>
> This is improved property also known as 104 Chesapeake Court, Nashville, Tennessee 37207.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said The Kissell Company, its successors and assigns forever as fully and completely as the successor-trustee can or ought to convey under the power vested in him in said deed of trust and his appointment as successor-trustee; and said successor-trustee,

the Grantor herein, does hereby transfer and assign to The Kissell Company, its successors and assigns all the warranties and covenants made in said deed of trust.

This conveyance is made subject to all matters shown on any applicable recorded Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any statutory right of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior liens or encumbrances that may exist against the property. This conveyance is also subject to any matter that an accurate survey of the premises might disclose.

IN WITNESS WHEREOF, the said Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 27th day of April, 1987.

Michael J. Philbin, Trustee
Michael J. Philbin
Successor-Trustee

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael J. Philbin, Successor-Trustee, the 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 Nashville, Tennessee, this 27th day of April, 1987.

Janice M. Doyle
NOTARY PUBLIC

My Commission Expires: 4-17-88

THIS INSTRUMENT PREPARED BY:
ADAMS, TAYLOR, PHILBIN, PIGUE & MARCHETTI
One Union Street
Nashville, Tennessee 37201

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $49,704.94.

Michael J. Philbin
AFFIANT

Sworn to and subscribed before me this 27th day of April, 1987.

Janice M. Doyle
NOTARY PUBLIC

My Commission Expires: 4-17-88

RECEIVED FOR RECORD
APR 28 2 23 PM '87
DAVIDSON COUNTY, TN
REGISTER'S OFFICE

19723

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

RECEIVED OF _____

FOR _____

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| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|

49705.94- CAMT
139.16 CSTAX
.50 PRFE
9.00 WDF D
CHE K 148.66-
030CA3 4/28/87 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

1 9 7 2 3

IDENTIFICATION REFERENCE

APR 28 2 25 PM '87

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN

No. 74793