BARWP26 02/23/88 cr

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS (BAR)
2700 First American Center
Nashville, Tennessee 37238

Box 18

SUCCESSOR TRUSTEE'S DEED

| Address New Owner As Follows: | Send Tax Bills To: | Map and Parcel Nos. |
|---|---|---|
| HOME SAVINGS OF AMERICA,F.A.<br>P.O. Box 7075<br>Pasadena, CA 91109-7075 | Same | Map 104-6M<br>Parcel 24 |

WHEREAS, by Deed of Trust dated September 30, 1986, of record in Book 6997, page 86, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), Scott P. O'Neil conveyed to Thomas R. James, Trustee, to secure the indebtedness described in the Deed of Trust, certain real property described on Exhibit A attached hereto (the "Property"); and

WHEREAS, Home Savings of America, F.A., is the lawful owner and holder of the indebtedness described in the Deed of Trust; and

WHEREAS, Home Savings of America, F.A., the lawful holder of the aforesaid indebtedness, has removed the said Thomas R. James as Trustee in the Deed of Trust and has nominated and appointed Rebecca A. Gibbs of Nashville, Tennessee, as Successor Trustee, by Appointment of Successor Trustee of record in Book 7442, page 950, Register's Office for Davidson County, Tennessee, and said Rebecca A. Gibbs is vested with title to the Property for all the purposes of the Deed of Trust and is clothed with all the powers, duties and obligations therein conferred upon the named Trustee; and

WHEREAS, the Deed of Trust constitutes the first mortgage lien against the Property; and

WHEREAS, default was made in the payment of the indebtedness described and in the performance of the other covenants and agreements contained in the Deed of Trust, Home Savings of America, F.A., the lawful owner and holder of said indebtedness, did request the undersigned Rebecca A. Gibbs, Successor Trustee, to exercise the power of sale conferred by the Deed of Trust; and

WHEREAS, the undersigned Rebecca A. Gibbs, Successor Trustee, did give notice of the time and place of sale by publication in the Nashville Record, a newspaper published in Nashville, Davidson County, Tennessee, for three (3) consecutive weeks, with the insertion of said advertisement appearing in the issues of said newspaper on January 28, February 4, and February 11, 1988, respectively; and

WHEREAS, pursuant to said notices, the undersigned Rebecca A. Gibbs, Successor Trustee, by virtue of the provisions of the Deed of Trust, did offer the Property for sale at public outcry to the highest and best bidder for cash in hand on February 19, 1988, at 12:00 noon, at the front (South) door of the Metropolitan Courthouse in Nashville, Tennessee; and

WHEREAS, at said sale, Home Savings of America, F.A. made a bid for the purchase of the Proprty, which was the highest, best and last bid made, the amount of said bid being in the sum of ONE HUNDRED THIRTY-NINE THOUSAND ONE HUNDRED NINE AND 32/100 DOLLARS ($139,109.32) which has been credited to the indebtedness secured by

the Deed of Trust, and other good and valuable consideration, the receipt of which is hereby acknowledged;

NOW, THEREFORE, in consideration of the premises, I, Rebecca A. Gibbs, Successor Trustee, by virtue of the authority granted to me in the Deed of Trust, have bargained and sold and by these presents do transfer and convey to Home Savings of America, F.A., its successors and assigns, the property situated in Davidson County, Tennessee, and described on Exhibit A attached hereto.

This conveyance is made expressly subject to any and all unpaid real property taxes, which are assumed by grantee hereunder.

TO HAVE AND TO HOLD said property, together with all the appurtenances, estate, title and interest thereto belonging to Home Savings of America, F.A., its successors and assigns, all the right, title and interest in and to the Property vested in the said Rebecca A. Gibbs, Successor Trustee, and which she has a right to transfer, in as full and ample manner under the Deed of Trust as she can and should do, and she hereby assigns all covenants of warranty contained in the Deed of Trust, but no further or otherwise.

IN WITNESS WHEREOF, the undersigned, Rebecca A. Gibbs, as Successor Trustee, has hereunto set her hand on the 24th day of February, 1988.

Rebecca A. Gibbs
Rebecca A. Gibbs, Successor Trustee

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, Rebecca A. Gibbs, Successor 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 she executed the foregoing instrument as Successor Trustee for the purposes therein contained.

WITNESS my hand, at office, this 24th day of February, 1988.

Lori McPherson
Notary Public

My Commission Expires:

3-11-90

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration for this transfer or value property conveyed (whichever is greater) is $139,109.32.

Barbara A. Rose
Affiant

Sworn to and subscribed before me this 25th day of February, 1988.

Marsha L. Hallenz
Notary Public

My Commission Expires:

5-8-91

EXHIBIT A

Land in Davidson County, Tennessee, being Apartment Unit No. B-2 of Fairmont Court Condominiums, a plan of which is of record in Book 6250, page 825, Register's Office for Davidson County, Tennessee, as created under Title 66, Section 27-101, et.seq., as amended, Tennessee Code Annotated, and as established by a Master Deed of record in Book 6686, page 708, amended in Book 6712, page 125, and Book 6774, page 221, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said Unit as set forth in said Master Deed. Reference is hereby made to the plat of Fairmont Court Condominiums set forth in said Master Deed of record in Book 6686, page 708, amended in Book 6712, page 125, and Book 6774, page 221, as revised in Book 6823, page 962, and as modified in Book 6893, page 62, Register's Office for Davidson County, Tennessee, for a more complete identification and description of such Unit.

Being the same property conveyed to Scott P. O'Neil, an unmarried person by deed of even date from Fairmont Associates II, a joint venture composed of Aberdeen Properties, Inc., Roy S. Jones Construction Co., Inc. and Real Estate Equity Corporation and recorded simultaneously herewith.

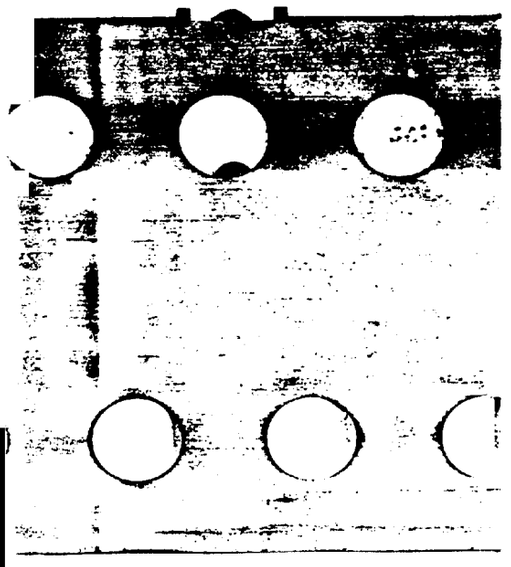
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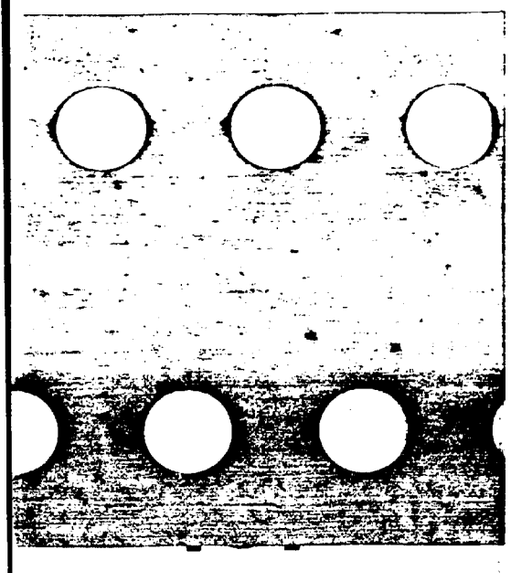
IDENTIFICATION REFERENCE

FEB 25 11 02 AM '88

DAVIDSON COUNTY, TN

9859 02/25 0101 03CHECK 401.98





**OFFICIAL RECEIPT**

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

RECEIVED OF _____

FOR _____

BOOK 7476 PAGE 542

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TAX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TAX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL |
|---|---|---|---|---|
| | | | CAMT | |
| | | | | 139109.32 |
| | | | CON TX | 389.48 |
| | | | PRFEE | 0.50 |
| | | | WDEED | 12.00 |
| | | | TOTAL | 401.98 |
| | | | CHECK | 401.98 |
| 02/25/88 | | 01 | 11:06 0001 | 9859 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

07524

IDENTIFICATION REFERENCE

FEB 25 11 02 AM '88

DAVIDSON COUNTY, TN

**No.** 64598