File #3

BOOK 7705 PAGE 327

TRUSTEE'S DEED

RE-RECORD BOOK 7711 PAGE 620

Michael J. Philbin,
Successor-Trustee

to

City Federal Savings Bank
30 Warder Street
Springfield, OH 45501
SEND TAX BILLS HERE

Map #092-9
Parcel #342-
Field Book #11W 66730

0998 11/28 0101 03CHECK 12.00

WHEREAS, Toyann Winston, unmarried, and Herschel D. Giles, et ux, Lettie J. Giles executed a deed of trust on the 25th day of July 1986 which was recorded in Trust Deed Book 6932, Page 503, Register's Office for Davidson County, Tennessee, conveying to Stephen R. Joselyn, Trustee, the property hereinafter described for the purpose of securing the payment of a promissory note to CityFed Mortgage Company, which note is referred to in said deed of trust; 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 15th day of September 1988 and recorded in Deed Book 7679, Page 36, 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 having been made for twenty-one (21) days by three weekly notices published in The Nashville Record, 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: November 14, 1988, at 10:00 a.m. 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

THIS INSTRUMENT IS BEING RERECORDED TO CORRECT AN ERROR IN THE NAME OF THE GRANTEE WHICH IS CITY FEDERAL SAVINGS BANK INSTEAD OF CITYFED MORTGAGE COMPANY.

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, City Federal Savings Bank being the highest and best bidder at said sale with a bid of Forty-Two Thousand Ninety-Seven and 00/100 Dollars ($42,097.00), 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-Two Thousand Ninety-Seven and 00/100 Dollars ($42,097.00), paid by City Federal Savings Bank, 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 City Federal Savings Bank, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to wit:

> Land in Davidson County, Tennessee, being Lot No. 47A, Zone Lot Division of Lot No. 47 of the Resubdivision of Lot 47 of Wilcox Subdivision, as of record in Book 6200, page 428, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Toyann Winston, unmarried, and Herschel D. Giles et ux, Lettie J. Giles, by deed from Herschel D. Giles Investments and Bond & Bond Construction Co., Inc., of record in Deed Book 6932, Page 500, Register's Office for Davidson County, Tennessee. The said Toyann Winston subsequently conveyed her right, title, and interest in said property to Herschel D. Giles and wife, Lettie J. Giles, by Quitclaim Deed of record in Deed Book 7369, Page 518, said Register' Office.
>
> This is improved property also known as 3313A Felicia Avenue, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Michael J. Philbin, his 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

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his appointment as successor-trustee; and said successor-trustee, the Grantor herein, does hereby transfer and assign to City Federal Savings Bank, 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 14th day of November, 1988.

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 14th day of November, 1988.

Patricia A. Cook
NOTARY PUBLIC

My Commission Expires: 10-9-91

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

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STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $42,097.00.

Michael J. R...
AFFIANT

Sworn to and subscribed before me this 14th day of November, 1988.

Patricia A. Cook
NOTARY PUBLIC

My Commission Expires: 10-9-91

8384 11/17 0101 03CHECK 151.43

RE-RECORD

86084

IDENTIFI REFERENCE

Nov 17 9 16 AM '88

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TN

86084

IDENTIFI REFERENCE

Nov 28 10 40 AM '88

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TN