Box 43

RE-RECORD BOOK 7769 PAGE 263
BOOK 7701 PAGE 163

TRUSTEE'S DEED

Michael J. Philbin,
Successor-Trustee

to

Chemical Mortgage Company
101 East Town Street
Columbus, Ohio 43215
SEND TAX BILLS HERE

Map #59-12
Parcel #54
Field Book #13DA 37310

WHEREAS, Johnnie P. McNeil, unmarried and Fred W. Kelly and wife, Janice C. Kelly, executed a deed of trust on the 21st day of November, 1986, which was recorded in Book 7060, Page 552, Register's Office for Davidson County, Tennessee, conveying to D. Gene Merrill and Frederick E. Brooks, Trustees, the property hereinafter described for the purpose of securing the payment of a promissory note to Atlantic Coast 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 7th day of September, 1988, and recorded in Book 7673, Page 320, 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 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: November 7, 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 THAT APPEARED IN THE STREET ADDRESS ON THE SECOND PAGE OF THIS

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, Chemical Mortgage Company, being the highest and best bidder at said sale with a bid of Forty Five Thousand One Hundred and 00/100 Dollars ($45,100.00), 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 Five Thousand One Hundred and 00/100 Dollars ($45,100.00), paid by Chemical Mortgage 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 Chemical Mortgage 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 No. 81 on the Plan of Highland Trace S/D Section II as of record in Book 5200, Page 616, 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 Johnnie P. McNeil unmarried, and Fred W. Kelly, and wife, Janice C. Kelly, by deed from Bobby D. Wall and wife, Betty Jo Wall, of record in Book 7060, Page 549, Register's Office for Davidson County, Tennessee.
>
> This is improved property also known as 2549 Highland Trace Drive , Nashville, Tennessee 37216.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Chemical Mortgage 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 Chemical Mortgage 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 7th day of November, 1988.

Michael J. Philbin, Successor-Trustee

Michael J. Philbin
Successor-Trustee

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RE-RE

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 7th day of November, 1988.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92

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

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84673

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $45,100.00.

Michael J. Philbin
AFFIANT

Sworn to and subscribed before me this 7th day of November, 1988.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92