BOOK 7876 PAGE 297

TRUSTEE'S DEED

Michael J. Philbin, Successor-Trustee	)	Map 96-14
	)	Parcel 13
to	)	Fld Bk#3DZ-59756
	)	
Chemical Mortgage Company	)	
101 East Town Street	)	
Columbus, Ohio 43215	)	
SEND TAX BILLS HERE		

WHEREAS, Monte H. Whaley, Sr. and wife, Anna M. Whaley, executed a deed of trust on the 4th day of February, 1987 which was recorded in Book 7133, page 525, Register's Office for Davidson County, Tennessee, conveying to D. Gene Merrill and/or 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 March, 1989 and recorded in Book 7847, Page 609, said Register's Office; 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: June 26, 1989 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 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,

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WHEREAS, the Grantee herein, Chemical Mortgage Company, being the highest and best bidder at said sale with a bid of Forty Six Thousand Seven Hundred Eighty Seven and NO/100 Dollars ($46,787.00) 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 Six Thousand Seven Hundred Eighty Seven and NO/100 Dollars ($46,787.00) 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 being more particularly described as follows, to wit:

> Being Lot No. 416 on the Plan of Cloverhill Subdivision, Section 7, recorded in Book 2133, Page 92, 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 Monte H. Whaley, Sr. and wife, Anna M. Whaley, by deed of record in Book 7133, Page 522, and subsequently conveyed to Monte Henry Whaley, Sr. by quitclaim deed of record in Book 7782, Page 726, (the quitclaim deed inadvertently shows incorrect lot number), Register's Office for Davidson County, Tennessee.
>
> This is improved property also known as 2934 Lakeland Drive, Nashville, Tennessee 37214.

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 26th day of June, 1989.

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 26th day of June, 1989.

Janice M. Cheney
NOTARY PUBLIC

My Commission Expires:
5-20-92

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

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

9764 06/28 0101 03CHECK 163.94

The actual consideration or value, whichever is greater, for this transfer is $46,787.00.

Michael J. Philbin
AFFIANT

Sworn to and subscribed before me this 26th day of June, 1989.

Janice M. Cheney
NOTARY PUBLIC

My Commission Expires:
5-20-92

OFFICIAL RECEIPT

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

RECEIVED OF _____

FOR _____

BOOK 7876 PAGE 300

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

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

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

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL
				CAMT 46787.00
				CON TX 154.44
				PRFEE 0.50
				WDEED 9.00
				TOTAL 163.94
				CHECK 163.94
			06/28/89 01	15:55 0001 9764

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

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IDENTIFICATION

JUN 28 3 52 PM '89

FELIX Z. WILSON, II
REGISTER
DAVIDSON COUNTY, TENN.

No. 224046