# TRUSTEE'S DEED

This instrument prepared by:
Adams, Taylor, Philbin, Pigue & Marchetti
One Union Street
Nashville, Tennessee 37215

| | | |
|---|---|---|
| Michael J. Philbin,<br>Successor Trustee | ) | |
| to | ) | Map #91-9-A<br>Parcel #1.00 CO<br>Field Book #8DA-61701 |
| Chemical Mortgage Company<br>101 East Town Street<br>Columbus, Ohio 43215<br>SEND TAX BILLS HERE<br>NO MORTGAGEE | ) | |

WHEREAS, Alvie R. Besch and wife, Elizabeth Besch, executed a deed of trust on the 29th day of August, 1986, which was recorded in Book 6967, Page 726, Register's Office, Davidson County, Tennessee, conveying to D. Gene Merrill and Frederick E. Brooks, Trustees, the property hereinafter described to secure the payment 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 Michael Thomas Joyce in a deed of record in Book 7306, Page 933, Register's Office, Davidson County; and

WHEREAS, Michael J. Philbin was appointed Successor-Trustee, said appointment being recorded in Book 7913, Page 637, Register's Office, Davidson County, Tennessee; and

WHEREAS, default occurred in the performance of the terms of said Promissory Note and/or the Deed of Trust securing the same and the noteholder in accordance with the provisions therein declared the entire indebtedness due and payable and requested the Trustee, the GRANTOR herein, advertise and sell the property; and

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust, by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in the Nashville Record Newspaper, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the advertisement, the sale was held at the time and place advertised, to-wit: August 21, 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 free from the statutory right of redemption, homestead, dower and all other exemptions 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 Thirty Eight Thousand Seventy Three and No/100 Dollars ($38,073.00), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of Thirty Eight Thousand Seventy Three and No/100 Dollars ($38,073.00), 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 Unit #1 of the Deal Avenue Planned Unit Development, of record in Book 6200, Page 354, Register's Office for Davidson County,

Tennessee, (also referred to as Parkside Place in the Declaration of Covenants, Conditions and Restrictions applicable to such property of record in Book 6714, Page 400, R.O.D.C.) to which plan reference is made for a more complete description.

Being the same property conveyed to Alvie R. Besch and wife, Elizabeth Besch, by deed of record in Book 6967, Page 723, and subsequently conveyed to Michael Thomas Joyce by deed of record in Book 7306, Page 933, Register's Office for Davidson County, Tennessee.

This is improved property also known as 6050 Deal Avenue, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD said real estate together with the appurtances, 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 the Trustee 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; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and 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 21st day of August, 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 21st day of August, 1989.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration of value, whichever is greater for this transfer is $38,073.00.

Michael J. R...
AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 21st day of August, 1989.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: 5-20-92

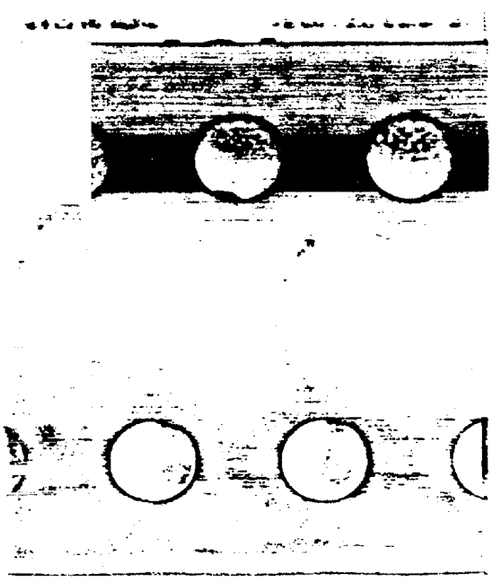
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IDENTIFICATION REFERENCE

AUG 24 2 44 PM '89

DAVIDSON COUNTY, TN

8992 08/24 0101 03CHECK 135.73



**OFFICIAL RECEIPT**

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

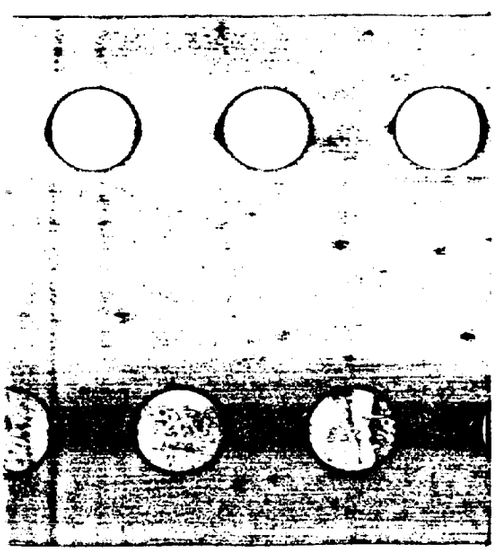
RECEIVED OF _____

FOR _____

BOOK 7922 PAGE 338

| | | |
|---|---|---|
| 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 | 38073.00 |
| CON TX | 125.73 |
| PRFEE | 1.00 |
| WDEED | 9.00 |
| TOTAL | 135.73 |
| CHECK | 135.73 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

08/24/89 01 14:46 0001 8992

60554

IDENTIFICATION REFERENCE

AUG 24 2 44 PM '89

FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TN

No. 242221