THIS INSTRUMENT PREPARED BY:
David M. Smythe
Zinser & DeLaney
Second Floor, Pilcher Bldg.
144 Second Avenue, North
Nashville, Tennessee 37201

# SUBSTITUTE TRUSTEE'S DEED

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Address New Owner(s) As Follows: Send Tax Bills to: Map-Parcel Nos.

| | | |
|---|---|---|
| Frank and Mary DePalo<br>7001 Bay Cove Trail<br>Nashville, TN 37221 | Metropolitan Federal<br>Savings and Loan<br>230 4th Ave., N.<br>Nashville, TN | 141-11-A<br>PAR 34 |

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I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is, $86,100, which includes the assumption of an existing deed of trust in the amount of $78,308.49.

Frank DePalo
Affiant

Subscribed and sworn to before me, this 27th day of September, 1989.

David M Smythe
Notary Public - at large

My commission expires: 7-10-90

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WHEREAS, by Deed of Trust dated April 26, 1985 and recorded in Book 6550, Page 429, Register's Office for Davidson County, Tennessee, John H. Fisher and wife, Ruth B. Fisher, conveyed to William B. Bradley, Trustee, the hereinafter-described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument recorded in Book 7918, Page 637, said Register's Office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Deed of Trust, by which advertisement the sale was appointed to be held on the 15th day of September, 1989 at 11 o'clock a.m. at the south front door of the Davidson County Courthouse, Nashville, Tennessee; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which sale, Frank DePalo and wife, Mary L. DePalo, being the highest and best bidders became the purchasers of said property at and for the sum of Eighty-Six Thousand and One Hundred and no/100th Dollars

$(86,100), which amount included the assumption of the first lien deed of trust of record at Book 5825, Page 549, said Register's Office;

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute Trustee, does hereby grant, bargain, sell, transfer, convey unto Frank DePalo and wife, Mary L. DePalo, the following real estate:

> Land in Davidson County, Tennessee, being Lot No. 174 on the Plan of Rolling River Estates, Phase IV, as of record in Book 5200, pages 184 and 185, Register's Office for said County, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to John H. Fisher and wife, Ruth B. Fisher by deed from Allen Earps Builders, Inc., of record of Book 5825, Page 546, Register's Office for said County.

to have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in fee simple, forever and free from all legal and equitable rights of redemption, exemptions of homestead, rights by virtue of marriage and all other exemptions of every kind in the makers of said Deed of Trust, and all persons claiming through and under said makers.

UNDERSIGNED, as Substitute Trustee, does hereby transfer, assign, and set over unto the Frank DePalo and wife, Mary L. DePalo, their representatives, successors and assigns, all of the covenants or warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise; provided, however, this conveyance is subject to such priority tax liens and prior encumbrances as may appear of record, including but not limited to a Deed of Trust in favor of Metropolitan Federal Savings and Loan Association recorded in Trust Deed Book 5825, Page 549, Register's Office for Davidson County, Tennessee, as well as all ad valorem property taxes which may be of record or applicable to said property.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto set his hand and seal, this 26th day of September, 1989.

David M. Smythe

David M. Smythe,
Substitute Trustee

STATE OF TENNESSEE )
:SS
COUNTY OF DAVIDSON )

Personally appeared before me, Katherine M. Hartov, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 26th day of Sept., 1989.

Katherine M. Hatton
Notary Public

My commission expires: 11-21-92




69523

IDENTIFICATION REFERENCE

SEP 27 1 27 PM '89

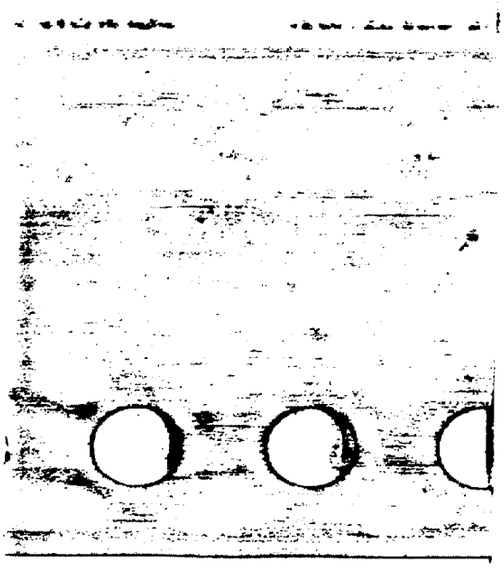
DAVIDSON COUNTY, TN

RUSH

3707 09/27 0101 03CHECK 294.13

**OFFICIAL RECEIPT**

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



RECEIVED OF _____

FOR _____

BOOK 7947 PAGE 278

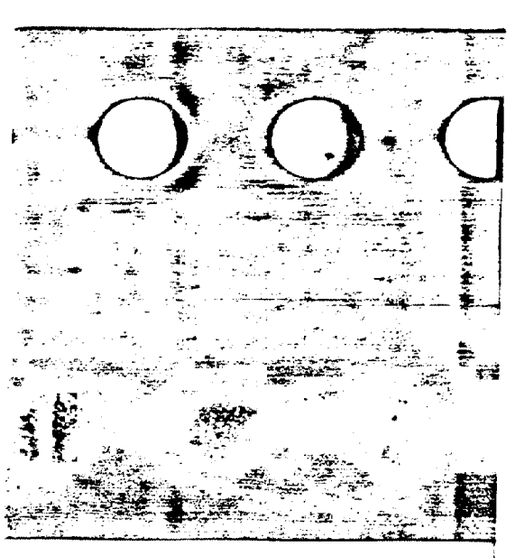
| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TAX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TAX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL |
|---|---|---|---|---|

| | |
|---|---|
| CAMT | 86100.00 |
| CON TX | 284.13 |
| PRFEE | 1.00 |
| WDEED | 9.00 |
| TOTAL | 294.13 |
| CHECK | 294.13 |

09/27/89 01 13:27 0001 8707

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK



69523

IDENTIFICATION REFERENCE

SEP 27 1 27 PM '89

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 252651