Box 43

Box 43

39793

TRUSTEE'S DEED

3351 06/08 0101 03CHECK 142.49

IDENTIFICATION REFERENCE

Michael J. Philbin,
Successor-Trustee

to

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

Map 148-2
Parcel 111
Fld Bk# 5DU-7687

JUN 8 2 59 PM '89

RE-RECORD

BOOK 7976 PAGE 503

BOOK 7861 PAGE 40

WHEREAS, Thomas V. Johnson, unmarried, and Johnnie Bond and wife, bettye M. Bond, executed a deed of trust on the 24th day of March, 1986 which was recorded in Book 6814, page 896, 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 21st day of March, 1989 and recorded in Book 7836, Page 244, 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 5, 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,

THIS INSTRUMENT IS RE-RECORDED TO CORRECT AN ERROR IN THE DESCRIPTION OF THE PROPERTY ON PAGE 2.

WHEREAS, the Grantee herein, Chemical Mortgage Company, being the highest and best bidder at said sale with a bid of Forty Thousand Two Hundred Eighty and NO/100 Dollars ($40,280.00) 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 Thousand Two Hundred Eighty and NO/100 Dollars ($40,280.00) 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. 18B, Zone Lot Division of Lots 18 and 19, Baker Gardens, Section 3, as of record in Book 6250, Page 494, 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 Thomas V. Johnson, unmarried, Johnnie Bond and wife, Bettye M. Bond, by deed from S & S Partnership, a General Partnership, of record in Book 6814, Page 893, and subsequently conveyed to Johnnie Bond and wife, Bettye M. Bond, by Quitclaim Deed of record in Book 7356, Page 321, Register's Office for Davidson County, Tennessee.
>
> This is improved property also known as 3368 Ezell Road, Nashville, Tennessee 37211.

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 5th day of June, 1989.

RE-RECORD BOOK 7976 PAGE 505

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 5th day of June, 1989.

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

1164 11/03 0101 03CHECK 9.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $40,280.00.

AFFIANT

Sworn to and subscribed before me this 5th day of June, 1989.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires:
5-20-92

RE-RECORD
79331
IDENTIF. REFERENCE