DEED IN LIEU OF FORECLOSURE

MAP #162-13
PARCEL #198
FIELD BOOK #05DU-72160

This instrument prepared by:
ADAMS, TAYLOR, PHILBIN,
PIGUE & MARCHETTI
One Union Street
Nashville, Tennessee 37201

(NO MORTGAGEE
(New Owner-Send Tax Bills:
(Department of Housing and
(Urban Development
(251 Cumberland Bend Drive
(Suite 200
(Nashville, Tennessee 37228

THIS INDENTURE, made this 13th day of June, 1990, between Luther W. Counts and wife, Vicki J. Counts, hereinafter called GRANTORS, and the Secretary of Housing and Urban Development, his successors and assigns, hereinafter called GRANTEE.

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of One Dollar ($1.00) cash in hand paid, the receipt of which is hereby acknowledged, and other valuable consideration, the GRANTORS have bargained and sold, and by these presents do transfer and convey unto the said GRANTEE, his/her successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows, to-wit:

Being Lot No. 64A on the Plan of Dreamland Estates Southeast, Section 2, as of record in Book 5200, Page 648, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Being the same property conveyed to Luther W. Counts and wife, Vicki J. Counts, by deed of record in Book 6789, Page 891, Register's Office for Davidson County, Tennessee.

This is improved property also known as 941 Ilawood Drive, Nashville, Tennessee 37211.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his/her successors and assigns forever. We covenant with the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and that the same is unencumbered except as otherwise herein set out.

WE further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEE, his/her successors and assigns, against the lawful claims of all persons whomsoever.

THIS DEED is an absolute conveyance of title in effect as well as in form, and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration therefore in addition to that hereinabove set forth is the full release of all debts, obligations, and charges heretofore existing on account of and by the terms of that certain Deed of Trust on the property herein conveyed. Said Deed of Trust is dated the 25th day of February, 1986, executed by Luther W. Counts and wife, Vicki J. Counts, and recorded in Book 6789, Page 894, in the Register's Office for Davidson County, Tennessee, and this conveyance is for the purpose of completely satisfying said obligation and terminating said Deed of Trust and notes secured thereby, and any effect thereof in all respects.

40062

IDENTIFICATION REFERENCE

JUL 9 3 06 PM '90

FELIX Z WILSON II REGISTER
DAVIDSON COUNTY, TN

THE GRANTORS further warrant that, as of the date of execution of this instrument, they do not own any other property subject to a mortgage insured by the Federal Housing Administration or held by the Federal Housing Administration, and further that they have not filed a petition in bankruptcy within three (3) months prior to the execution of this deed.

Wherever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the parties have hereunto signed their names on the date first written above.

Luther W. Counts
LUTHER W. COUNTS

Vicki J. Counts
VICKI J. COUNTS

STATE OF Indiana }
} ss.
COUNTY OF Henry }

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Luther W. Counts and wife, Vicki J. Counts, the bargainors, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at BANK ONE, Richmond NA, New Castle, IN, this 13th day of June, 1990.

Janice D. Owens
Janice D. Owens, Notary Public

My Commission Expires: 7-16-93.

STATE OF TENNESSEE }
}
COUNTY OF DAVIDSON }

The actual consideration or value, whichever is greater for this transfer is $75,000.00.

Michael J. [illegible]
Affiant

Subscribed and sworn to before me, this 19th day of June, 1990.

Janice M. [illegible]
Notary Public

My Commission Expires: 5-20-92

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