Full
31

SUCCESSOR TRUSTEE'S DEED

BOOK 8225 PAGE 495

| Address New Owner: | Send Tax Bills to: | Map-Parcel Numbers |
|---|---|---|
| Dominion Bank of Middle Tennessee<br>150 Fourth Avenue, North<br>Nashville, TN 37219 | SAME | 82-15<br>67<br>19W325 |
| This instrument prepared by: Boult, Cummings, Conners & Berry (JEM)<br>P.O. Box 198062, Nashville, Tennessee 37219 | | |

WHEREAS, MBR Associates, LTD., by Deed of Trust and Security Agreement (the "Deed of Trust") dated June 27, 1985, transferred and conveyed to John B. Hardcastle, Trustee, the property described in Exhibit A hereto (the "Property") (said Deed of Trust being of record in Book 6593, page 394, Register's Office for Davidson County, Tennessee); and

WHEREAS, a Successor Trustee has been appointed by the lawful owner and holder of the indebtedness secured by the Deed of Trust (said Appointment of Successor Trustee being of record in Book 8206, page 622, said Register's Office); and

WHEREAS, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder and owner of said debt has called upon the Successor Trustee to foreclose the Deed of Trust; and

WHEREAS, the Successor Trustee, after due advertisement as required by law and as required by the terms of the Deed of Trust, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve o'clock (noon), October 26, 1990, at the Davidson County Courthouse, Nashville, Tennessee when and where Dominion Bank of Middle Tennessee ("Grantee"), became the last and highest bidder for cash at the price of Four hundred twenty thousand and no/100 dollars ($420,000.00).

NOW, THEREFORE, in his capacity as Successor Trustee, and not otherwise, and in consideration of the premises and payment of the sum stated above, the receipt and sufficiency of which are acknowledged, John E. Murdock, III, Successor Trustee hereby conveys the Property to the Grantee and the Grantee's heirs or successors and assigns.

TO HAVE AND TO HOLD said land in as full and complete manner as the undersigned, in his capacity as Successor Trustee, and not otherwise, has the power to convey the same.

John E. Murdock, III, as Successor Trustee, and not otherwise, warrants the title to the Property to the Grantee and Grantee's heirs or successors and assigns, against the lawful

claims of all persons claiming by, through or under him. The Property is sold, however, without any other warranty as to the quantity or quality thereof, and expressly subject to the following:

1. Any and all unpaid taxes and assessments, plus interest and penalty, if any.

2. Restrictive covenants contained in instrument of record in Book 4546, page 144, Register's Office for Davidson County, Tennessee.

3. Plan of record in Plat Book 1, page 7; in Plat Book 1, page 11; in Plat Book 12, page 524-525 and in Plat Book 21, page 37, said Register's Office.

4. Easements and rights retained in Metropolitan Bills Nos. 64-257 and 69-829, closing Old Ham Street, North Fourth Street, Howerton Street, Alley 225, Lonely Street, and street and alleys.

5. Any and all other prior restrictions, encumbrances, or liens of any nature.

Words used herein indicating number or gender shall be read as context may require.

Dated this 26 day of October, 1990.

John E. Murdock, III, as Successor Trustee, and not otherwise

STATE OF TENNESSEE

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COUNTY OF DAVIDSON

Personally appeared before me, James D Hughey, a Notary Public in and for said County and State, the within named John E. Murdock, III, Successor Trustee, the bargainor, with whom I am personally acquainted (or to me proved on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 26TH day of October, 1990.

James D Hughey
Notary Public

My Commission Expires: Aug 6 1991

The actual consideration for this transfer or value of the property transferred, whichever is greater, is $420,000.00.

DOMINION BANK OF MIDDLE TN

By: Lynnood J Schnellman
AFFIANT SENIOR VICE PRESIDENT

Subscribed and sworn to before me this 26TH day of October, 1990.

James D Hughey
Notary Public

My Commission Expires: Aug 6 1991

Land in Davidson County, Tennessee, being part of Lot Nos. 36 thru 44, both inclusive, and all of Lot No. 45, and part of North Fourth Street, as closed by Bill No. 69829 of the Metropolitan Council of Nashville and Davidson County, Tennessee, and part of Alley No. 254, and Howerton Street closed by Bill No. 64257 of said Council, on the Plan of John Shelby's 1st Addition to Edgefield, as of record in Book 12, pages 524 and 525, Register's Office for said County; part of Lot No. 107, all of Lots 108 thru 113 both inclusive, and part of Lot No. 114, and part of Oldham Street closed by Bill No. 64257 and 69829; and Alley No. 255, closed by Bill No. 69829 of Council above mentioned, on the Plan of John Shelby's 1st Addition to Edgefield in Plan Book 1, pages 7 and 11, Chancery Court; part of Lot 64 and 70, and part of Lonely Street closed by Bill No. 64257 above mentioned on the Map of N. W. Westmore's St. Alban's Plan of record in Book 21, page 37, said Register's Office, and parts of Lot 23 on the Map of N. W. Westmore's Plan of record in Book 8, pages 173 and 174, said Register's Office and described together according to a survey made by Barge, Waggoner & Sumner, Engineers, February 15, 1967, revised April 5, 1971 and September 28, 1973, as follows:

Beginning at an iron pin the coordinates of which are Y-649,925.2 and X-1,773,400.0 Tennessee State Grid Systems, being a northeasterly corner of the land herein conveyed in the westerly right of way line of Ellington Parkway as follows: South 44 deg. 36 min. 40 sec. West 6.65 feet to a concrete monument; thence around a curve to the left having a radius of 595.33 feet a distance of 207.32 feet to a concrete monument; thence around a curve to the left having a radius of 329.63 feet a distance of 503.89 feet to a concrete monument; thence South 62 deg. 06 min. East 262.53 Feet to a concrete monument; thence around a curve to the right having a radius of 125 feet a distance of 260.27 feet to a concrete monument; thence South 61 deg. 20 min. West, 115.06 feet to an iron pin; thence South 65 deg. 07 min. West, 42 feet to an iron pin in the easterly right of way line of Interstate Highway 65, also being the westerly margin of North Fourth Street as closed; thence with the easterly boundary line of said highway as follows: North 24 deg. 53 min. West, 404.78 feet to a concrete monument; thence South 64 deg. 56 min. West 80 feet to a concrete monument; thence North 70 deg. 42 min. West 67.49 feet to a concrete monument; thence South 67 deg. 08 min. West, 148.73 feet to a concrete monument; thence North 32 deg. 35 min. West, 460.77 feet to a concrete monument; thence North 67 deg. 50 min. West 25.34 feet to an iron

pin set in the easterly margin of closed Meridian Street; thence with said margin of closed Meridian Street, North 0 deg. 52 min. West 21.23 feet to an iron pin; thence North 60 deg. 37 min. East 629.31 feet to a concrete monument; thence South 83 deg. 36 min. East 59.82 feet to the point of beginning.

Being the same property conveyed to MBR Main Street, Ltd. by Quitclaim Deed from MBR Associates, Ltd. of record in Book 6823, page 770, said Register's Office.

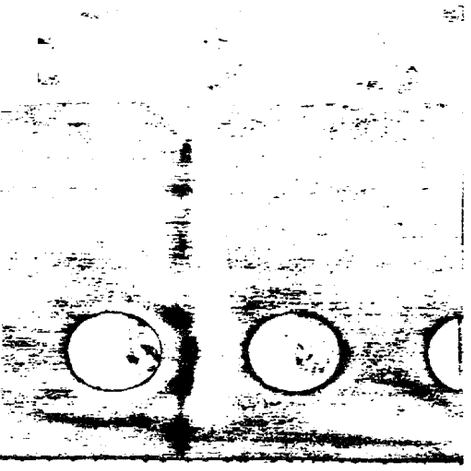
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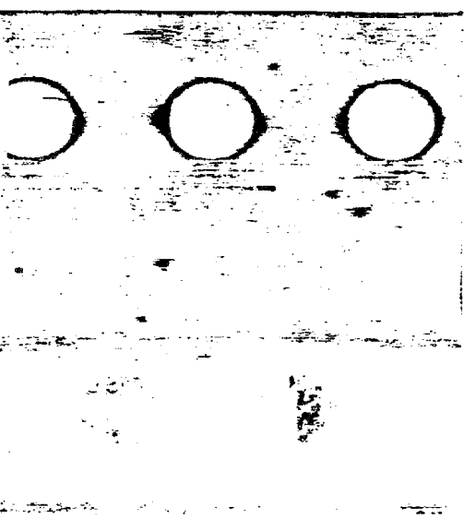
IDENTIF. TREFERENCE

Oct 26 1 42 PM '90

FELIX Z. [illegible]
DAVIDSON COUNTY TN.

3976 10/26 0101 03CHECK 1402-00





**OFFICIAL RECEIPT**

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

RECEIVED OF _____

FOR _____

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| | | |
|---|---|---|
| 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 |
| | | | | 420000.00 |
| | | | | CON TX 1386.00 |
| | | | | PRFEE 1.00 |
| | | | | MDEED 15.00 |
| | | | | TOTAL 1402.00 |
| | | | | CHECK 1402.00 |
| 10/26/90 | 01 | | | 13:44 0001 3976 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

68083

IDENTIF. REFERENCE

OCT 26 1 42 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY TN.

No. 368131