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BOOK 8255 PAGE 408

This Instrument Prepared By:
KING & BALLOW
1200 Noel Place
200 Fourth Avenue North
Nashville, Tennessee 37219-0373
(615) 259-3456

Address New Owner:

C. W. FITZGERALD and wife,
LAURA M. FITZGERALD
7631 Bidwell Road
Joelton, TN 37080

Send Tax Statements To:

Same

Map & Parcel:

014-00-0 173.00
Field Book 14D 38236

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions and payments made and provided for in an Installment Deed dated May 21, 1983, executed by DAVID D. MARSHALL, and WILLIAM G. MOORE, to FRANK S. KING, JR., Trustee, which is recorded in Book 6087, page 348, Register's Office for Davidson County, Tennessee; and,

WHEREAS, the terms of said note were modified of record in Book 6147, page 504, said Register's Office; and,

WHEREAS, by instrument of record in Book 6283, page 497, Register's Office for Davidson County, Tennessee, EARLIS JOHNSON and wife, BARBARA JOHNSON, and WESLEY ERWIN assumed and agreed to pay the unpaid balance owing on the aforementioned indebtedness; and,

WHEREAS, the entire indebtedness was declared due and payable, and payment not having been made as demanded, and having been requested so to do by the lawful holder and owner of the indebtedness secured by said Installment Deed, I, FRANK S. KING, JR., Trustee, caused said real estate to be advertised in accordance with the provisions of said Installment Deed, advertising that said property would be sold at Nashville, Davidson County, Tennessee, at the front door of the Courthouse, Public Square, to the highest, best and last bidder for cash, in bar of all equities of redemption, homestead, dower, and all other rights and exemptions of every kind, all of which were waived in said Installment Deed; but subject to any and all mortgages, liens, claims and unpaid taxes that might be a lien against the property,

and at the time and place stated in said advertisement, I, FRANK S. KING, JR., Substitute Trustee, personally appeared and offered said property for sale at public outcry and the highest, best and last bid received was the sum of $21,000.00, by C. W. FITZGERALD and wife, LAURA M. FITZGERALD, and said property was knocked off and sold to C. W. FITZGERALD and wife, LAURA M. FITZGERALD;

NOW, THEREFORE, in consideration of the premises and the sum of $21,000.00, cash in hand paid by C. W. FITZGERALD and wife, LAURA M. FITZGERALD, I, FRANK S. KING, JR., Trustee, have this day bargained and sold and by these presents do transfer and convey to C. W. FITZGERALD and wife, LAURA M. FITZGERALD, their successors and assigns, a certain tract or parcel of land situated in Davidson County, Tennessee, and described as follows:

> A tract or parcel of land in the 14th Civil District of Davidson County, Tennessee, described as follows:
>
> BEGINNING at an iron pin in the center line of Long Creek, said pin being at the northwest corner of the property conveyed to James W. Fitzgerald and wife by deed from C. W. Fitzgerald and wife, Laura M. Fitzgerald, of record in Book 5337, page 782, Register's Office for Davidson County, Tennessee; thence south 6 degrees 19' 18" west 1,990.87 feet to a point; thence south 86 degrees 41' 57" east 180.00 feet to a point; thence north 9 degrees 46' 00" east 1,733.35 feet to an iron pin in the center of Long Creek; thence with the center line of Long Creek north 42 degrees 10' 46" west 379.06 feet to the point of beginning, containing 10.05 acres, more or less.
>
> BEING the same property conveyed to EARLIS JOHNSON and wife, BARBARA JOHNSON, and WESLEY ERWIN, by deed from DAVID D. MARSHALL and wife, DOROTHY MARSHALL, of record in Book 6283, page 497, Register's Office for Davidson County, Tennessee.
>
> BEING also the same property conveyed to EARLIS JOHNSON and wife, BARBARA JOHNSON, by quitclaim deed from WESLEY ERWIN, of record in Book 7329, page 607, Register's Office for Davidson County, Tennessee.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to

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FELIX Z. WILSON REGISTER
DAVIDSON COUNTY TN.

C. W. FITZGERALD and wife, LAURA M. FITZGERALD, their successors and assigns forever.

And I covenant with the said C. W. FITZGERALD and wife, LAURA M. FITZGERALD, that I am lawfully seized and possessed of said real estate as Trustee only, and by the terms of the abovementioned Installment Deed, have a good right to sell and convey the same, and that the same is unencumbered, except as aforementioned and except for any and all prior liens, mortgages, claims and unpaid taxes that may be a lien against the said real estate.

I further covenant and bind myself/my successors and assigns, to warrant and forever defend the title to said real estate to C. W. FITZGERALD and wife, LAURA M. FITZGERALD, their successors and assigns, against the lawful claims of all persons claiming by or through me as Trustee, but no further or otherwise; it being my intention only to convey to Grantee no greater title in the subject real estate than I received as Trustee.

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WITNESS my hand this 10 day of December, 1990.

FRANK S. KING, JR.
Trustee

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, Sherry Parker, a Notary Public in and for the State and County aforesaid, FRANK S. KING, JR., Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), the within named bargainor, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and seal at Nashville, Tennessee, this the 10th day of December, 1990.

My Commission Expires:
9/24/94

NOTARY PUBLIC

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $21,000.00.

AFFIANT

Subscribed and sworn to before me this 10th day of December, 1990.

My Commission Expires:
9/24/94

NOTARY PUBLIC

**OFFICIAL RECEIPT**

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

RECEIVED OF _____

FOR _____ BOOK 8255 PAGE 411

CO - CONVEYANCE
MO - MORTGAGE
WD - WARRANTY DEED
TD - TRUST DEED

CC - CERTIFIED COPY
REL - RELEASE
UCC - UNIFORM COMMERCIAL CODE

MISC - MISCELLANEOUS
CO TAX - STATE TAX CONVEY
MO TAX - STATE TAX MORT
PRFEE - PROBATE FEE

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL |
|---|---|---|---|---|
| | | | | CAMT 21000.00 |
| | | | | CON TX 69.30 |
| | | | | PRFEE 1.00 |
| | | | | WDEED 9.00 |
| | | | | TOTAL 79.30 |
| | | | | CHECK 79.30 |
| | | | 12/11/90 01 | 13:28 0001 8341 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

78793

IDENTIF. T REFERENCE

DEC 11 1 29 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY TN.

No. 380788