BOOK 8323 PAGE 512

03973

TRUSTEE'S DEED

1731 04/03 0101 03CHECK 156.82

IDENTIF. REFERENCE

This instrument prepared by:
Adams, Taylor, Philbin, Pigue & Marchetti
One Union Street
Nashville, Tennessee 37201

APR 3 2 02 PM '91

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY TN.

Michael J. Philbin,
Successor Trustee

to

Map #92-6
Parcel #696 & 15
Field Book #11W 85060
Field Book #11W 36020

RE-RECORD BOOK 8329 PAGE 508

City Savings, F.S.B.
300 Davidson Avenue
Somerset, New Jersey 08875
SEND TAX BILLS HERE
NO MORTGAGEE

4516 04/12 0101 03CHECK 6.00

WHEREAS, Clara D. Butler, unmarried and William Thomas and wife, Gayla B. Thomas, executed a deed of trust on the 22nd day of September, 1986, which was recorded in Book 6997, Page 31, Register's Office of Davidson County, Tennessee, conveying to Stephen R. Josleyn, Trustee, the property hereinafter described to secure the payment of a promissory note referred to in said deed of trust; and

WHEREAS, Michael J. Philbin was appointed Successor-Trustee, said appointment being recorded in Book 8279, Page 564, Register's Office of Davidson County, Tennessee; and

WHEREAS, the obligations of the aforesaid Deed of Trust and Note were subsequently assumed by Rivers Perry Jr. and wife, Bennie Perry in a Deed of record in Book 7862, page 595, Register's Office for Davidson County, Tennessee; and

WHEREAS, default occurred in the performance of the terms of said Promissory Note and/or the Deed of Trust securing the same and the noteholder in accordance with the provisions therein declared the entire indebtedness due and payable and requested the Trustee, the GRANTOR herein, advertise and sell the property; and

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust, by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in The Nashville Record, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the advertisement, the sale was held at the time and place advertised, to-wit: April 1, 1991 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 exemptions of every kind, all of which were expressly waived in said Deed of Trust; and

WHEREAS the GRANTEE herein, City Savings, F.S.B., being the highest and best bidder at said sale with a bid of FORTY FIVE THOUSAND FOUR HUNDRED FORTY FOUR AND NO/100 DOLLARS ($45,444.00), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of FORTY FIVE THOUSAND FOUR HUNDRED FORTY FOUR AND NO/100 DOLLARS ($45,444.00), paid by City Savings, F.S.B., 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 City Savings, F.S.B., its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

Being Lot No. 28 of Block 16 on the map of George I. Waddey's Subdivision of Blocks 16 and 26 of Midway Plan, as of record in Book 6200, Page 291, 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 Clara D. Butler, unmarried and William Thomas and wife, Gayla B. Thomas, by deed of record in Book 6997, Page 28, the said Clara D. Butler having subsequently conveyed her right, title and

THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT THE PAGE NUMBER IN THE FIRST PARAGRAPH OF THIS INSTRUMENT.

interest in said property to William A. Thomas and wife, Gayla B. Thomas, by quitclaim deed of record in Book 7506, Page 174, who subsequently conveyed the property to Rivers Perry, Jr. and wife, Bennie Perry, by deed of record in Book 7862, Page 595, Register's Office for Davidson County, Tennessee.

This is improved property also known as 940 A&B 31st Avenue, North, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said City Savings, F.S.B., its successors and assigns forever as fully and completely as the Successor-Trustee can or ought to convey under the power vested in the Trustee in said Deed of Trust and his appointment as Successor-Trustee; and said Successor-Trustee, the Grantor herein, does hereby transfer and assign to City Savings, F.S.B., 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; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and 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 1st day of April, 1991.

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 1st day of April, 1991.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: May 20, 1992

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration of value, whichever is greater for this transfer is $45,444.00.

Michael J. Philbin
AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 1st day of April, 1991.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: May 20, 1992

RE-RECORD

06325

IDENTIFICATION REFERENCE

APR 12 3 01 PM '91

DAVIDSON COUNTY TN