TRUSTEE'S DEED

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

| | | |
|---|---|---|
| Michael J. Philbin, Successor Trustee | ) | |
| to | ) | Map #133-8 |
| | ) | Parcel #171 |
| | ) | Field Book #06DA 83262 |
| United Carolina Bank<br>Box 3347<br>Wilmington, North Carolina 28406<br>SEND TAX BILLS HERE<br>NO MORTGAGEE | ) | |

WHEREAS, Jonathan S. Kelsey, unmarried, executed a deed of trust on the 24th day of May, 1988, which was recorded in Book 7552, Page 844, Register's Office of Davidson County, Tennessee, conveying to Phillip Stephen Freeman, 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 8332, Page 136, Register's Office of 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: May 20, 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, United Carolina Bank, being the highest and best bidder at said sale with a bid of SIXTY FOUR THOUSAND SIX HUNDRED SIXTY THREE AND NO/100 DOLLARS ($64,663.00), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of SIXTY FOUR THOUSAND SIX HUNDRED SIXTY THREE AND NO/100 DOLLARS ($64,663.00), paid by United Carolina Bank, 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 United Carolina Bank, 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. 85 on the plan of Phase I, Valley View, of record in Book 5200, Page 77, Register's Office for Davidson County.

Said Lot No. 85 fronts 99.96 feet on the westerly margin of the culdesac at the terminus of Norway Terrace and extends back 115.49 feet on the northeasterly line and 148.01 feet on the southwesterly line to a twice broken line, measuring 113.84 feet thereon.

Being the same property conveyed to Jonathan S. Kelsey, unmarried, by deed of record in Book 7552, Page 841, Register's Office for Davidson County, Tennessee.

This is improved property also known as 209 Norway Terrace, Nashville, Tennessee 37211.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said United Carolina Bank, 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 United Carolina Bank, 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; and 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.

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 said Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 20th day of May, 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 20th day of May, 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 $64,663.00.

Michael J. Philbin
AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 20th day of May, 1991.

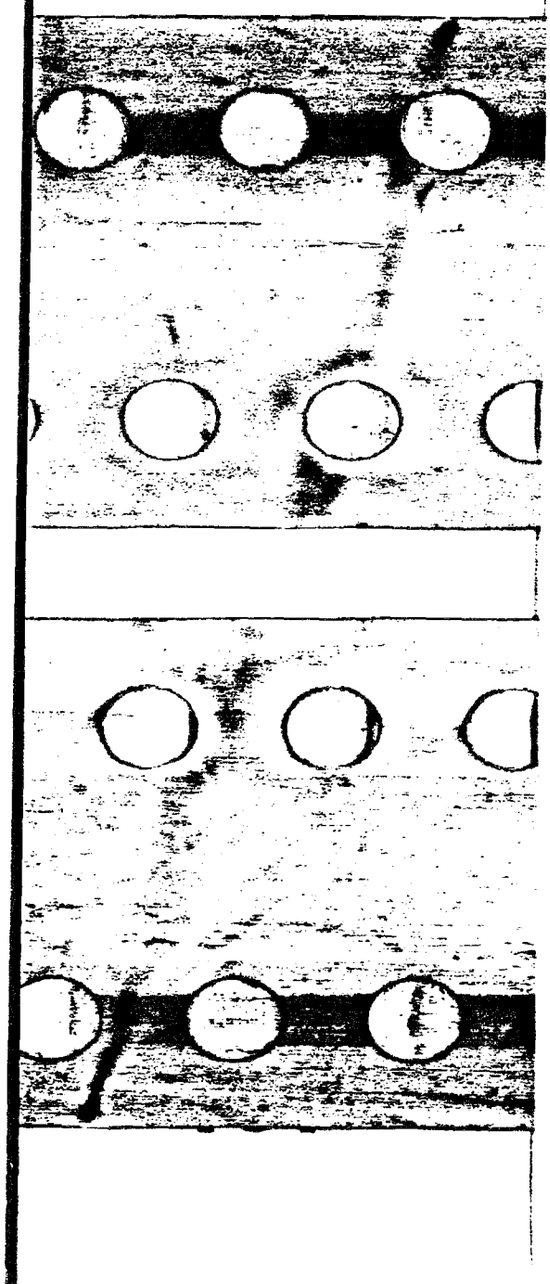
Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: May 20, 1992

3936-05/21 0101 03CHECK 220.51

FILED & RECORDED
May 21 2 44 PM '91
IDENTIFICATION REFERENCE

15.8.6.8.



**OFFICIAL RECEIPT**

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

RECEIVED OF _____

FOR _____

BOOK 8356 PAGE 251

| | | |
|---|---|---|
| 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 64663.00
CON TX 213.51
PRFEE 1.00
~~MTGFEE~~ 6.00
~~TOTAL~~ 220.51
CHECK 220.51

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

05/21/91 01 14:45 0001 3936

15868

IDENTIFICATION REFERENCE

MAY 21 2 44 PM '91

FELIX Z WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 423522