This Instrument Prepared By:
Lawless & Associates, P.C.
19th Floor
First American Center
Nashville, TN 37238-0068

# SUBSTITUTE TRUSTEE'S DEED

| Address New Owner: | Send Tax Bills To: | Map-Parcel Numbers |
|---|---|---|
| PCW Investments, a Tennessee General Partnership<br>P. O. Box 121559<br>Nashville, TN 37212<br>Attention: Mr. John Powers | Same | 131-09-34 |

WHEREAS, **JOHN W. WALTON, III AND WIFE, CARROL R. WALTON**, by Deed of Trust (the "Deed of Trust") dated May 18, 1988, transferred and conveyed to **R. GRATTAN BROWN, JR. AND CHARLES A. NEALE**, Trustees, the property described in Exhibit A hereto (the "property"), said Deed of Trust being of record in Book 7558, Page 454, Register's Office for Davidson County, Tennessee; and

WHEREAS, a Substitute Trustee has been appointed by the lawful owner and holder of the indebtedness secured by the Deed of Trust, said Appointment of Substitute Trustee being of record in Book 8439, Page 284, 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 Substitute Trustee to foreclose the Deed of Trust; and

WHEREAS, the Substitute 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 12:00 o'clock noon, on October 11, 1991, at the Main Door of the Davidson County Courthouse, Nashville, Tennessee when and where **PCW INVESTMENTS, A TENNESSEE GENERAL PARTNERSHIP** ("Grantee") became the last and highest bidder for cash at the price of Sixty-six Thousand Nine Hundred Sixty and 00/100 Dollars ($66,960.00);

NOW, THEREFORE, in his capacity as Substitute 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, Thomas W. Lawless, Substitute 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 Substitute Trustee, and not otherwise, has the power to convey the same.

Thomas W. Lawless, as Substitute 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 redemptive rights which may be exercised by any governmental taxing authority.

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

3. 1991 Davidson County property taxes which are expressly assumed by the Grantee.

4. A Deed of Trust in favor of First Federal Savings & Loan Association, now Metropolitan Federal Savings Bank, of record in Book 4931, Page 736, Register's Office for Davidson County, Tennessee.

5. All matters shown on a Plan of record in Book 2663, Page 89, said Register's Office.

6. Any claim or claims by any receiver or trustee under any state insolvency law or by virtue of any provision of the Bankruptcy Code (11 U.S.C. §101, et. seq.).

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

Dated this 15 day of October, 1991.

Thomas W. Lawless

Thomas W. Lawless, as Substitute Trustee, and not otherwise

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Herman A. Ruben, a Notary Public in and for said County and State, the within named Thomas W. Lawless, Substitute 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 15th day of October, 1991.

Herman A. Ruben
Notary Public

My Commission Expires: May 28, 1995

HERMAN A. RUBEN NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

The actual consideration for this transfer or value of the property transferred, whichever is greater, is $66,960.00.

John R. Clarke
Affiant

Subscribed and sworn to before me this 15th day of October, 1991.

Herman A. Ruben
Notary Public

My Commission Expires: May 28, 1995

HERMAN A. RUBEN NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

**EXHIBIT A**



Being Lot No. 12 on the Plan of Section Three, Seven Hills, of record in Book 2663, page 89, Register's Office for said County.

Said Lot No. 12 fronts 200.5 feet on the south side of Harding Place and extends back 488.6 feet on the west line and 375 feet on the east line to a dead line in the rear on which it measures 255.8 feet.

BEING the same property conveyed to John W. Walton, III, and wife Carrol R. Walton by deed from Robert T. Garrett, Jr. and wife Jane C. Garrett of record in Book 4931, page 734, Register's Office for Davidson County, Tennessee.

54584

TENNESSEE REAL ESTATE TRANSFER

Oct 16 1 25 PM '91

3178 10/16 0101 03CHECK 257.90

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

RECEIVED OF _____

FOR _____

BOOK 8464 PAGE 665

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|

CAMT 66960.00
CON TX 247.90
PRFEE 1.00
WDEED 9.00
TOTAL 257.90
CHECK 257.90

10/16/91 01 13:27 0001 3178

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

5.45584

IDENTIFICATION

OCT 16 1 25 PM '91

**No.** 467940