Box 43

RE-RECORD

BOOK 8625 PAGE 742

TRUSTEE'S DEED BOOK 8607 PAGE 828

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

| | | |
|---|---|---|
| Michael J. Philbin, Successor-Trustee | ) | |
| to | ) | Map #71-3 |
| | ) | Parcel #145 |
| | ) | Field Book #12DZ 04950 |
| The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition<br>30 Warder Street<br>Springfield, Ohio 45501<br>SEND TAX BILLS HERE<br>NO MORTGAGEE | ) | |

WHEREAS, Daryl L. Overton, unmarried, executed a deed of trust on the 20th day of December, 1984, which was recorded in Book 6455, Page 392, Register's Office of Davidson County, Tennessee, conveying to Phillip E. Hill, 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 8559, Page 4, Register's Office of Davidson County, Tennessee.

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 20, 1992 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 rights or exemptions of every kind, all of which were hereby expressly waived in said Deed of Trust; and

WHEREAS the GRANTEE herein, The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition, being the highest and best bidder at said sale with a bid of FORTY NINE THOUSAND TWO HUNDRED NINTY EIGHT AND 73/100 DOLLARS ($49,298.73) was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of FORTY NINE THOUSAND TWO HUNDRED NINTY EIGHT AND 73/100 DOLLARS ($49,298.73), paid by The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition, 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 The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

Being the southerly 70 feet of Lot Nos. 155 and 156 on the Plan of J. L. Haynie's Oriental Plan of record in Book 161, Pages 26 and 27, Register's Office for said County.

Said part of Lot 155 fronts 70 feet on the easterly side of Sultana Avenue and together with part of Lot 156 extends back between parallel lines with the northerly margin of an alley, 200 feet to the westerly line of Lot 157.

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Being the same property conveyed to Daryl L. Overton, by deed of record in Book 6388, Page 189, and subsequently conveyed to Van H. Phillips, unmarried, by deed of record in Book 6628, Page 495, and subsequently conveyed to Ted A. Burkhalter, by Quitclaim Deed of record in Book 6987, Page 428, and subsequently conveyed to David G. Gober, by deed of record in Book 8397, page 193, whereupon Gober defaulted under the terms of a deed of trust of record in Book 8397, Page 196 and following foreclosure, the Trustee under the deed of trust conveyed title to Van H. Phillips, by Trustee's Deed of record in Book 8467, Page 780. Subsequently Van H. Phillips, unmarried, conveyed to David G. Gober, unmarried, by Quitclaim Deed of record in Book 8520, Page 609, Register's Office for Davidson County, Tennessee.

This is improved property also known as * Sultana Avenue, Nashville, Tennessee 37207.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition, 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 The Kissell Company, Successor-in-Interest to CityFed Mortgage Company by Acquisition, 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 April, 1992.

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 April, 1992.

Janice M. Cheng
NOTARY PUBLIC

JANICE M. CHENG NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires: May 20, 1992

* This deed is being re-recorded for the purpose of changing the street number for the referenced property. The former deed referred to 138 Sultana Avenue. Prior deeds in the chain referred to 138 Sultana Avenue, but the drafter has been advised by the Metro Mapping Department that no specific street number has been assigned to this property.

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STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration of value, whichever is greater for this transfer is $49,298.73.

Michael J. R...
AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 20th day of April, 1992.

Janice M. Cheng
NOTARY PUBLIC

My Commission Expires: May 20, 1992

JANICE M. CHENG NOTARY PUBLIC DAVIDSON COUNTY, TN.

RE-RECORD
IDENTIF. REFERENCE

MAY 13 3 26 PM '92
FELIX Z. WILSON Register
DAVIDSON COUNTY TN.

6594 05/13 0101 03CHECK 9.00

03887
Identif. Reference
Apr 22 3:05 PM '92
Felix Z. Wilson Register
Davidson County Tn.

6-3 04.22 0101 03CHECK 192.41