BOOK 8678 PAGE 731

This Instrument Prepared by:

Leitner, Warner, Moffitt, Williams
Dooley, Carpenter & Napolitan
2300 First American Center
Nashville, Tennessee 37238-2300

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $35,700.00

D Randall Mantooth
AFFIANT

Subscribed and sworn to before me, this the 17th day of July, 1992.

Mary P Bartley
NOTARY PUBLIC

My commission expires: 1-22-95

| ADDRESS NEW OWNER: | SEND TAX BILLS TO | MAP-PARCEL NO.: |
|---|---|---|
| Resolution Trust Corporation as Receiver for Metropolitan Federal Savings and Loan Association, F.A. 618 Grassmere Park, Suite 10 Nashville, TN 37211 | Same | 075-07-216 04D 68797 |

SUCCESSOR TRUSTEE'S DEED

THIS INDENTURE, made and entered into on this the 17th day of July, 1992, by and between D. Randall Mantooth, Successor Trustee, hereinafter referred to as the "FIRST PARTY," and Resolution Trust Corporation as Receiver for Metropolitan Federal Savings and Loan Association, F.A., hereinafter referred to as the "SECOND PARTY,"

W I T N E S S E T H:

WHEREAS, on the 30th day of October, 1985, Marion Thurman and wife, Eva M. Thurman, executed a deed of trust (the "Deed of Trust") to Attorneys Title Company, Inc., Trustee, to secure the payment of a promissory note (the "Note") in the original principal amount of Forty Seven Thousand Six Hundred ($47,600.00) Dollars payable to the order of Metropolitan Federal Savings and Loan Association, said Note being payable in monthly installments as set forth in said Deed of Trust, which is of record in Book 6722, page 107, as amended by instrument of record in Book 7019, page 213, Register's Office of Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, Marion Thurman and Eva M. Thurman, subsequently executed a warranty deed (the "Warranty Deed") conveying the real property secured by the Deed of Trust to Union Financial Corporation and the indebtedness evidenced by the note and secured by the Deed of Trust was assumed by Union Financial Corporation, and Marion Thurman and wife, Eva M. Thurman, were released from liability thereon, which Warranty Deed is of record in Book 7314, page 860, Register's Office of Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, on the 19th day of July, 1988, Union Financial Corporation conveyed said property to Wayne A. Fortuna and wife, Allison O. Fortuna, who entered into a Modification and Assumption Agreement With Release with Metropolitan Federal Savings and Loan Association, which is of record in Book 7608, page 831, Register's Office for Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, prior to April 19, 1991, Metropolitan Federal Savings and Loan Association changed its name to Metropolitan Federal Bank, a federal savings bank; and

WHEREAS, effective April 19, 1991, the Director of the Office of Thrift Supervision ("OTS"), Department of the Treasury, by Order Number 91-213, ordered Metropolitan Federal Bank, a Federal Savings Bank (formerly Metropolitan Federal Savings and Loan Association), Nashville, Tennessee (the "Association") closed and appointed the Resolution Trust Corporation ("RTC") Receiver for the Association; and

WHEREAS, effective April 19, 1991, the OTS, by Order Number 91-213, created and chartered a new federal mutual savings association known as Metropolitan Federal Savings and Loan Association, F.A., Nashville, Tennessee ("Metropolitan Federal").

WHEREAS, on April 19, 1991, the RTC, as Receiver for the Association, entered into a Purchase and Assumption Agreement with Metropolitan Federal whereby Metropolitan Federal acquired certain assets of the Association, including the Note and Deed of Trust described herein; and

WHEREAS, as of April 19, 1991, the OTS took possession of Metropolitan Federal and appointed the RTC as Conservator of that institution, which appointment was accepted; and

WHEREAS, on March 27, 1992, the OTS, by Order Number CIN-92-102, replaced the RTC as Conservator of Metropolitan Federal with the RTC as Receiver of Metropolitan Federal; and

WHEREAS, as a result of the execution of the above-referenced Purchase and Assumption Agreement by Metropolitan Federal and the RTC as Receiver of the Association, and the subsequent actions taken by the OTS, the RTC as Receiver of Metropolitan Federal succeeded to all right, title and interest in the Note and Deed of Trust pursuant to Section 212(d)(2) of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA") by reference through Section 21A(b)(4) of the Home Loan Bank Act as amended by Section 501 of FIRREA; and

WHEREAS, Attorney's Title Company, Inc. was unable to act as Trustee under said Deed of Trust and D. Randall Mantooth was appointed Successor Trustee by the owner and holder of said Note, which appointment is of record in Book 8651, page 222 in the Register's Office for Davidson County, Tennessee; and,

WHEREAS, default was made in the payment of said Note and the holder thereof directed FIRST PARTY to advertise and sell said property in satisfaction of said indebtedness and the costs of foreclosure, in accordance with the terms and provisions of said Note and Deed of Trust; and,

WHEREAS, FIRST PARTY did advertise said property for sale in accordance with the terms and provisions of said Note and Deed of Trust, notices of the time and place of said sale being published in the Nashville Record on June 25, July 2, and July 9, 1992; and,

WHEREAS, FIRST PARTY appeared at the time and place stated and caused the said property to be sold at the front door of the Courthouse in Davidson County, Tennessee, on July 17, 1992; and,

WHEREAS, SECOND PARTY, being the highest and best bidder thereof, became the purchaser of said property at and for the sum of Thirty Five Thousand Seven Hundred and 00/100 ($35,700.00)

Dollars, and said sum of said bid having been paid or credited, the receipt thereof is hereby acknowledged.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, FIRST PARTY has this day bargained and sold and does by these presents transfer and convey unto SECOND PARTY, its successors and assigns, the following described real property, situated in Davidson County, Tennessee:

> Land in Davidson County, Tennessee, being Lot No. 41-A on the Plan of the Zone Lot Division of Lots 23,24,25,27, 29,30,31,32,33,34,35,37,38,39,40,41,42,43,45,46,48, Rachel Square, Section Two, as of record in Book 6250, page 540, Register's Office of Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to Wayne A. Fortuna and wife Allison O. Fortuna by deed from Union Financial Corporation of record in Book 7608, page 828, Register's Office for Davidson County, Tennessee.

This property is located at 706 Rachel's Trail, Hermitage, Tennessee 37076.

TO HAVE AND TO HOLD the aforesaid real estate unto the said SECOND PARTY, its successors and assigns, forever, and in bar of equity of redemption, homestead, dower and all other exemptions of every kind.

AND, D. Randall Mantooth, Successor Trustee, does further covenant and bind him successors and assigns to warrant and defend the title to said land only as to such title coming by, through or under him as trustee to the said SECOND PARTY, its successors and assigns, and not otherwise.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set its signature, this the day and above written.

D. Randall Mantooth
Successor Trustee

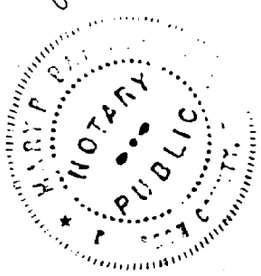
STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared D. Randall Mantooth, Successor Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who upon his oath acknowledged himself to be the person who executed this instrument for the purposes therein expressed.

WITNESS my hand and seal this 17th day of July, 1992.

Mary P. Barkley
NOTARY PUBLIC

My commission expires: 1-22-95




Fortuna.subsucc

28577

IDENTIF. TREFERENCE

JUL 17 4 22 PM '92

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY TN.

5685 07/17 0101 03CHECK 20.00