Box 38 JPS

BOOK 8760 PAGE 64

This Instrument Prepared By:
William R. O'Bryan, Jr., Attorney
25th Floor, Nashville City Center
511 Union Street
Nashville, TN 37219

Send Tax Bills to New Owner(s):
Resolution Trust Corporation
Colony Square, Building 100
Suite 2300
P. O. Box 68
Atlanta, GA 30361

Map: 60-12
Parcel: 158 & 228

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, default having been made in the payment of the debt and obligations, terms and conditions, provided for in that certain Deed of Trust, dated February 26, 1986, to Attorneys Title Company, Inc., Trustee, executed by Hart Lane Partnership, as same appears of record in Book 6791, page 410, Register's Office for Davidson County, Tennessee; and

WHEREAS, the lawful owner and holder of said indebtedness has removed Attorneys Title Company, Inc. as Trustee under said Deed of Trust and has nominated and appointed Jean P. Shearer as Substitute Trustee, pursuant to the terms of said Deed of Trust, which appointment of Substitute Trustee is of record in Book 8693, page 898, Register's Office for Davidson County, Tennessee; and

WHEREAS, the said Jean P. Shearer, Substitute Trustee, is thereby vested with title to the property described in said Deed of Trust for all purposes therein contained, and she is clothed with all the powers, duties and obligations therein conferred upon the named Trustee; and

WHEREAS, the entire indebtedness secured by the above referenced instrument has matured and is past due and unpaid, the owner thereof requested the undersigned to advertise and sell the security according to the terms of said instrument; and

WHEREAS, in accordance with said request, the said real estate was advertised for sale in Nashville Record, a newspaper published in Davidson County, Tennessee, the first insertion appearing on September 17, 1992, and subsequent insertions appearing on September 24, 1992, and October 1, 1992, giving the time, terms, place of sale and description of the real estate; and

WHEREAS, on October 13, 1992, at 11:00 o'clock A.M., being the time and at the front door of the Courthouse in Nashville, Davidson County, Tennessee, being the place mentioned in said advertisements, the undersigned offered said real estate for sale in accordance with all the terms and requirements in the above referenced instrument, and advertisement of sale made in connection therewith, at which time said real estate was offered for sale at public outcry to the highest and best bidder for cash and was struck off and sold to RESOLUTION TRUST CORPORATION, AS RECEIVER FOR METROPOLITAN FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., at and for the sum of Forty-nine Thousand Six Hundred and No/100 ($49,600.00) Dollars, which was the highest and best bid in connection therewith; and

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of sale, the balance being applied upon said indebtedness for which the property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by RESOLUTION TRUST CORPORATION, AS RECEIVER FOR METROPOLITAN FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Jean P. Shearer, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said RESOLUTION TRUST CORPORATION, AS RECEIVER FOR METROPOLITAN FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., its successors and assigns, in fee simple forever, the property above-mentioned and now further described as being in the County of Davidson, and State of Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot No. 4, on the Plan of Adanoroc Subdivision, Section One, as of record in

Book 6050, page 210, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Being part of the property conveyed to James D. Gilmore by deeds of record in Book 7559, page 414, and Book 7559, page 417, Register's Office for Davidson County, Tennessee.

This is improved property known as 3005-3007 Conviser Drive, Nashville, Tennessee.

Said sale shall also be subject to the right of redemption by the State of Tennessee, pursuant to the provisions of T.C.A. Section 67-1-1433(c)(1), by virtue of a Notice of State Lien against James D. Gilmore, of record in Book 8521, page 253, Register's Office for Davidson County, Tennessee. Proper notice has been timely given to the State of Tennessee as required under T.C.A. Section 67-1-1433(b)(1) (See attached Exhibit A).

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto RESOLUTION TRUST CORPORATION, AS RECEIVER FOR METROPOLITAN FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., its successors and assigns, in fee simple forever. The said Jean P. Shearer, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under her, as such Substitute Trustee, but no further or otherwise.

IN WITNESS WHEREOF, Jean P. Shearer, as Substitute Trustee, has executed this instrument on the 16th day of October, 1992.

Jean P. Shearer
JEAN P. SHEARER
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Jean P. Shearer, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal, at office in Nashville, Tennessee, this 16th day of October, 1992.

Cindi R. Hasker
NOTARY PUBLIC

My commission expires: 9-25-93

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

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The actual consideration or value whichever is greater, to the best of my knowledge and belief, for this transfer is $49,600.00.

Jan P. Shearer
Affiant

Sworn to and subscribed before me,
this 16th day of October, 1992.

Cindi R. Haskin
Notary Public

My commission expires: 9-25-93

5:JPS101492A.vj

ROBERT W. STURDIVANT
(1914-1988)
EDWARD C. BLANK, II
(1937-1988)
CHARLES C. TRABUE, JR.
WARD DEWITT, JR.
HUGH C. HOWSER
ALFRED E. ABBEY
THOMAS H. PEEBLES III
RUSSELL H. HIPPE, JR.
THOMAS C. BINKLEY
CHARLES C. TRABUE III
ROBERT L. JONES
JACK F. KING, JR.
GAYLE I. MALONE, JR.
GEORGE E. MUDTER, JR.
HUGH C. HOWSER, JR.
LAWRENCE C. MAXWELL
WILLIAM R. O'BRYAN, JR.
DAN H. ELROD
N. HOUSTON PARKS
P. MICHAEL RICHARDSON

LAW OFFICES

TRABUE, STURDIVANT & DEWITT

25TH FLOOR, NASHVILLE CITY CENTER

511 UNION STREET

NASHVILLE, TENNESSEE 37219-1738

TELECOPIER (615) 256-8197

(615) 244-9270

COLUMBIA OFFICE
100 WEST SIXTH STREET
P. O. BOX 1004
COLUMBIA, TENNESSEE 38402
(615) 388-7032

CLAIBORNE K. MCLEMORE III
ANDRÉE KAHN BLUMSTEIN
ELLEN HOBBS LYLE
CHRISTOPHER M. WAS
C. ERIC STEVENS
DONALD P. PAUL
ROBERT B. LITTLETON
GERALD G. PATTERSON
MARY THOMSON LEMENSE
EDWARD K. LANCASTER
JAMES HUMBER PORTER
ROBERT M. HOLLAND, JR.
JEFFREY ZAGER
ANITA L. WHISNANT
RICHARD A. JOHNSON
MARY ELLEN MORRIS
JAMES W. COUCH
W. NEAL MCBRAYER
ALEXANDER S. FUQUA
JAMES C. STANLEY II
KATHRYN J. LADD

C. DALE ALLEN
WILLIAM H. WOODS
OF COUNSEL

September 8, 1992

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Commissioner of Revenue
c/o Mr. Wilber E. Hooks
Field Collection Manager
Tax Enforcement Division
Tennessee Department of Revenue
Andrew Jackson State Office Building
Nashville, Tennessee 37242

RE: Taxpayer: James D. Gilmore
Tax Lien No.: SS# [redacted]-7602
Foreclosure Sale: October 13, 1992
3005 and 3007 Conviser Drive
3008 Conviser Drive
3108 and 3110 Conviser Drive
Nashville, Tennessee

Dear Sir:

Enclosed please find copies of the Foreclosure Notice pertaining to the above-referenced properties owned by the above-referenced taxpayer. As you can see from the Notices, thes sale will be held on October 13, 1992, at Nashville, at the Davidson County Courthouse. Terms of the sale will be as specified in the notice.

The liens being foreclosed are represented by Deeds of Trust of record in Book 6791, page 410, Book 6989, page 878 and Book 6791, page 403, Register's Office for Davidson County, Tennessee. Copies of the Deeds of Trust are enclosed. The unpaid balance of these Deeds of Trust is approximately $173,000.00, including interest, attorney's fees and expenses. Sales proceeds will be applied as specified in the notice.

Our firm represents Resolution Trust Corporation, Receiver for Metropolitan Federal Savings and Loan Association, F.A., who is the holder of the Deed of Trust Notes. My address

is Trabue, Sturdivant & DeWitt, 25th Floor, Nashville City Center, 511 Union Street, Nashville, Tennessee 37219.

From my search of the records in the Register of Deed's Office, I have found a Notice of Tax Lien naming the above-referenced taxpayer. Said Notice was filed on January 3, 1992 and is of record in Book 8521, page 253, said Register's Office and a copy of it is enclosed herewith.

I have enclosed a duplicate of this letter. Please acknowledge receipt, including your time of receipt, of this Notice by letter to me.

If you have any questions concerning any of the above, please do not hesitate to call me.

Sincerely,

Jean P. Shearer

Jean P. Shearer

JPS:vaj

55806

INCOMING REFERENCE
Oct 16 8 55 PM '92
DAVIDSON COUNTY, TN

1791 10/16 0101 03CHECK 24.00

5:MJP090892A.VJ

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

October 6, 1992

Ms. Jean P. Shearer
Law Offices
Trabue, Sturdivant & DeWitt
25th Floor Nashville City Center
511 Union Street
Nashville, Tennessee 37219

Re: Foreclosure Sale of Property Owned by
James D. Gilmore
Account number: [redacted]-7602

Dear Ms. Shearer,

This is in reference to your letter dated September 8, 1992 concerning a foreclosure sale of property owned by James D. Gilmore.

Your letter does comply with the provisions of T.C.A. 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of sale, the indebtedness indicated in your letter, and any other superior liens, the amount of taxes, penalties, and interest due the Department of Revenue must be remitted to the State of Tennessee. The amount of taxes, penalties and interest due as of November 15, 1992 is $562.98.

After the sale, please furnish me with an accounting of the sale (a closing statement), and I will release the State's tax lien on the property sold.

I trust that this has answered your letter, but if not, please let me know.

Sincerely,

John S. Peeler, Director
Tax Enforcement Division

Wilbur E. Hooks
Administrative Assistant
Special Procedures Section

JSP:WEH:rcw

xc: Bob Tyree, Revenue Enforcement Supervisor, Nashville Region