Prepared By:
William E. Long, Jr.
Walt Dyer & James
One Burton Hills Blvd., Suite 130
Nashville, TN 37215

BOOK 8793 PAGE 33

SUCCESSOR TRUSTEE'S DEED

WHEREAS, on the 4th day of January 1990, Miller G. Kimbrough, Jr., and James R. "Hap" Hewgley, executed a Construction Loan Deed of Trust (the "Deed of Trust") to Brenda Franks Hale, Trustee, for the benefit of Metropolitan Federal Savings and Loan Association, ("Old Met Fed") for the purpose of securing the debts and obligations therein described, which Deed of Trust is of record in Book 8022, Page 971, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, the Deed of Trust was amended by Extension Agreement dated January 4, 1991, entered into between Miller G. Kimbrough, Jr., and James R. "Hap" Hewgley, and Old Met Fed of record in Book 8276, Page 648, in said Register's Office; and

WHEREAS, prior to April 19, 1991, Old Met Fed changed its name from "Metropolitan Federal Savings and Loan Association" to "Metropolitan Federal Bank, A Federal Savings Bank"; and

WHEREAS, effective April 19, 1991, the Director of the Office of Thrift Supervision ("OTS"), by OTS Order No. 91-213, duly appointed the Resolution Trust Corporation ("RTC") to serve as sole receiver for Old Met Fed; and

WHEREAS, effective April 19, 1991, and in accordance with OTS Order No. 91-213, the RTC organized a new federal mutual savings association known as Metropolitan Federal Savings and Loan Association, F.A., Nashville, Tennessee ("New Met Fed"); and

WHEREAS, effective April 19, 1991, by a certain Purchase and Assumption Agreement between the RTC as Receiver for Old Met Fed and New Met Fed, certain assets, including the Deed of Trust, as amended, along with the debts and obligations secured thereby, were transferred to New Met Fed; and

WHEREAS, effective April 19, 1991, the OTS appointed the RTC as Conservator for New Met Fed by OTS Order No. 91-213; and

WHEREAS, effective March 27, 1992, the OTS, by OTS Order No. CIN-92-102, replaced the RTC as Conservator for New Met Fed with the RTC as Receiver for New Met Fed;

and

WHEREAS, as a result of the execution of the above-referenced Construction Loan Deed of Trust and Extension Agreement the subsequent actions taken by the OTS, the RTC as Receiver for New Met Fed succeeded to all right, title and interest in the Deed of Trust, as amended, along with the debts and obligations secured thereby, pursuant to 12 U.S.C. §1821(d)(2), as incorporated by reference into 12 U.S.C. §1441a(b)(4); and

WHEREAS, the RTC as Receiver for New Met Fed is the owner and holder of the Deed of Trust, as amended, along with the debts and obligations secured thereby; and

WHEREAS, the above named trustee has been replaced by James A. Waechter, III, Kenneth M. Ballew and William E. Long, Jr., as Successor Trustees, by instrument of record in Book 8719, Page 774, in said Register's Office, any one of whom, is empowered to serve with all the title, powers, and duties of the original Trustee named in said Deed of Trust described above; and

WHEREAS, default having been made in the payment of the debts and the performance of the debts and obligations secured by the Deed of Trust, as amended, the RTC as Receiver for New Met Fed as the owner and holder thereof, requested the undersigned to advertise and sell the property conveyed by the Deed of Trust according to the terms of the Deed of Trust, as amended; and

WHEREAS, in accordance with the request of the RTC as Receiver for New Met Fed, the undersigned did, in compliance with the provisions of the Deed of Trust, as amended, advertise for sale the property conveyed by the same, the advertisement for sale having been published in *The Nashville Record*, a daily newspaper published in Nashville, Davidson County, Tennessee, October 29, November 5 and 12, 1992, issues of said newspaper, said sale having been advertised for Friday, November 20, 1992 at twelve o'clock noon at the front door of the Davidson County Courthouse in Nashville, Davidson County, Tennessee, at which time and place said property was offered for sale and sold to the highest and best bidder for cash; and

WHEREAS, the highest and best bid at the sale was then and there made by the Resolution Trust Corporation as Receiver for Metropolitan Federal Savings and Loan Association, F.A., to wit; a bid of One Hundred and One Thousand Dollars ($101,000) for said property, which bid was then and there accepted by the undersigned as Successor Trustee.

NOW, THEREFORE, in consideration of the premises and the compliance with the terms of said bid, receipt of which is hereby acknowledged, and which amount, less the expenses of said sale, has been applied toward the payment of the debts and obligations secured by the Deed of Trust, as amended, the undersigned, hereby bargains, sells, conveys, and confirms unto the said Resolution Trust Corporation as Receiver for Metropolitan Federal Savings and Loan Association, F.A., the following property situated and located in Nashville, Davidson County, Tennessee, to-wit:

> Being Lot No. 16 as Shown on the Plat of Phase One, Ransom Place Subdivision of record in Book 6900, Page 922-924, Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete legal description.
>
> Being the same property conveyed to Miller G. Kimbrough, Jr. and James R. "Hap" Hewgley by warranty deed from Metropolitan Airport Center Limited Partnership, a Tennessee limited partnership, of record in Book 8022, Page 967, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD, unto the said Resolution Trust Corporation as Receiver for Metropolitan Federal Savings and Loan Association, F.A., its heirs and assigns, in fee simple forever.

The undersigned hereby warrants the title to the above described property against the lawful claims of all persons claiming the same by, through or under the undersigned, but not further or otherwise. The conveyance of the aforesaid property is subject to unpaid property taxes, assessments, subdivision restrictions, building liens, and easements of record in the Davidson County Register's Office.

IN WITNESS WHEREOF, William E. Long, Jr., as Successor Trustee has hereunto set his hand this the 20th day of November, 1992.

WILLIAM E. LONG, JR.
SUCCESSOR TRUSTEE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 20th day of November, 1992, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared William E. Long, Jr., to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed as Successor Trustee.

WITNESS my hand and Official Notarial Seal at office the day and year above written.

NOTARY PUBLIC

My Commission Expires: 5/28/95

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration or this transfer or value of the property transferred, whichever is greater is One Hundred and One Thousand Dollars ($101,000).

AFFIANT

Subscribed and sworn to before me on this 20th day of November, 1992.

NOTARY PUBLIC

My Commission Expires:
5/28/95

PROPERTY ADDRESS: 1525 Mock Orange Circle, Nashville, Tennessee

MAIL TAX NOTICE TO: Resolution Trust Corporation as Receiver for
Metropolitan Federal Savings and Loan Association, F.A.
c/o JCF Partners
4451-H Parliament Place
Lanham, MD 20706

MAP 135-14B PARCEl 16co LOT 16 PHASE 1

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IDENTIFICATION REFERENCE:

Nov 20 4 14 PM '92

WILSON COUNTY REGISTER
DAVIDSON COUNTY, TN

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