This Instrument Prepared by:

BOOK 8786 PAGE 76

John H. Rowland
Manier, Herod, Hollabaugh & Smith
2200 Dominion Tower
150 Fourth Avenue, North
Nashville, Tennessee 37219

RE-RECORD BOOK 8815 PAGE 857

Address of New Owner:	Send Tax Bills to:	Map and Parcel:
Spivey Montgomery	Spivey Montgomery	Map #81-2
Attn: Bobby Gene Spivey	Attn: Bobby Gene Spivey	Parcel #205
2712 Clarksville Pike	2712 Clarksville Pike	
Nashville, TN 37208	Nashville, TN 37208	

TRUSTEE'S DEED

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $62,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Bobby Gene Spivey

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Sworn to and subscribed by me on this the 12th day of November, 1992.

Notary Public

My Commission Expires:
11-2-93

WHEREAS, on February 9, 1989, C.R. Montgomery Company, Inc. executed a certain Deed of Trust conveying to Emerson Braxton Smith, Jr. the real estate hereinafter described to secure payment of an indebtedness described in said Deed of Trust, evidenced by one Promissory Note in the original principal amount of $15,000.00, said Deed of Trust being recorded in Book 7770, page 141, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, said Note and Deed of Trust having been assigned to Dominion Bank of Middle Tennessee on or about September 24, 1992, for good and valuable consideration therein described, said Assignment of record in Book 8738, page 604, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, the owners and holders of the indebtedness thereby secured, by virtue of the powers contained in said Deed of Trust and in compliance therewith appointed the undersigned John H. Rowland as substitute Trustee, said instrument being found of record in Book 8738, page 602, in the said Register's Office, said Substitute Trustee having all the power and authority vested in the original Trustee; and

64423

IDENTIFICATION REFERENCE

Nov 13 3 16 PM '92

DAVIDSON COUNTY, TN

PICK-UP

WHEREAS, default having been made in the payment of the indebtedness, secured by said Deed of Trust, the undersigned John H. Rowland, substitute Trustee, at the request of the holders of the indebtedness, Dominion Bank of Middle Tennessee, and under and by virtue of the powers vested in me as substitute Trustee by said Deed of Trust, advertised said real estate as required by law under the terms of the said Deed of Trust on October 1, October 8, and October 15, 1992, in the Nashville Record, a newspaper published in Nashville, Davidson County, Tennessee, for sale for cash and in bar of the equity of redemption, dower and homestead, and for the purposes of paying said indebtedness; and

WHEREAS, pursuant to said advertisement, on October 23, 1992, at 10:00 a.m. at the front door of the Davidson County Courthouse in the city of Nashville, Davidson County, Tennessee, I, John H. Rowland, substitute Trustee, offered for sale at public outcry to the highest and best bidder the real estate hereinafter described for cash, and in bar of the equities of redemption, dower and homestead, as provided in the said Deed of Trust where Robert Spivey, being the highest and best bidder, became the purchaser at the price of $62,000.00.

NOW, THEREFORE, in consideration of the premises, I, the undersigned John H. Rowland, substitute Trustee, do hereby sell, transfer and convey unto Spivey Montgomery, a Tennessee general partnership composed of Bobby Gene Spivey and Daniel W. Montgomery, its successors and assigns, forever in fee simple, and in bar of the equities of redemption, dower and homestead, the following described real estate located in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot No. 2 on the Revised Plan of E. B. Smith Subdivision of record in Plat Book 6200, page 825, Register's Office for Davidson County, Tennessee, more accurately described as follows:
>
> Beginning at the Southwestern corner of lot 2 in the E. B. Smith Subdivision as shown on the plat thereof of record in Plat Book 6200, page 704, Register's Office for Davidson County, Tennessee, thence North 56 degrees, 43 minutes, 49 seconds West 90.0 feet along Clarksville Highway to a point, thence North 33 degrees, 21 minutes, 18 seconds East 172.65 feet to a point, thence South 65 degrees, 15 minutes, 08 seconds East 91.03 feet to a point, thence South 33 degrees, 21 minutes, 18 seconds West 185.99 feet to the point of beginning and containing 0.37 Acres more or less as shown by a survey dated December 28, 1988, prepared by Howard W. Anderson.
>
> Being a portion of the same property conveyed to E. B. Smith, Jr. by deed from Ben West and Earl Hutcheson, as Trustees under the Will of William Frank Hagey, as of record in Book 4126, page 425, Register's Office for Davidson County, Tennessee.

To have and to hold the same, to the said Spivey Montgomery, its successors and assigns forever in fee simple; but the said John H. Rowland, substitute Trustee, conveys as substitute Trustee and not otherwise; and all of my actions in the premises are done solely as substitute Trustee and under the powers vested in me under said Deed of Trust which by its terms I have a good right to sell and convey. The sale was advertised and made as Trustee only without covenants or warranties of title, and subject to any unpaid taxes or assessments owing on the property in prior liens or encumbrances, including, but not limited to, 1992 real property taxes, which remain unpaid.

IN WITNESS WHEREOF, I, the undersigned, as substitute Trustee, but not otherwise, have hereunto set my hand as Nashville, Tennessee, this the 13th day of November, 1992.

John H. Rowland
Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

RE-RECORD BOOK 8815 PAGE 899

Sworn to and subscribed by me on this the 13th day of November, 1992.

Notary Public

My Commission Expires:

Notary Public Tennessee At Large
My Commission Expires May 22, 1993

RE-RECORD
7.4377.4

IDENTIFIT REFERENCE

Dec 16 11 15 AM '92

DAVIDSON COUNTY, TN

PICK-UP

12.00

242.40