Rx 2

BOOK 9239 PAGE 234

This instrument prepared by:
I. Dyke Tatum, Attorney
Suite 200, Arena Place
2001 Charlotte Avenue
Nashville, Tennessee 37203
Map/Parcel 117-4 192

New Owner - Send Tax Bills:
Secretary of Housing & Urban Development
251 Cumberland Bend Dr. Suite 200
Nashville, Tennessee 37228-1803

DEED IN LIEU OF FORECLOSURE

THIS INDENTURE, made this 7 day of March, 1994, between Charles F. Newell and wife, Mildred Newell, heirs to the Estate of Mary J. Newell, hereinafter called GRANTORS, and the Secretary of Housing and Urban Development, his successors and assigns, hereinafter called GRANTEE.

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of One Dollar ($1.00) cash in hand paid, the receipt of which is hereby acknowledged, and other valuable consideration, the GRANTORS have bargained and sold, and by these presents do transfer and convey unto the said GRANTEE, his successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows, to wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 50 ON THE PLAN OF VICTORIA PLACE, AS OF RECORD IN BOOK 332, PAGE 10, REGISTERS OFFICE FOR SAID COUNTY.

SAID LOT NO. 50 FRONTS 62.5 FEET ON THE NORTHERLY SIDE OF PARIS AVENUE AND RUNS BACK BETWEEN PARALLEL LINES 130.5 FEET TO AN ALLEY.

BEING THE SAME PROPERTY CONVEYED TO MARY J. NEWELL BY DEED FROM CLIFTON A. ALLEN, UNMARRIED, OF RECORD IN BOOK 8415, PAGE 472, REGISTERS OFFICE FOR DAVIDSON COUNTY, TENNESSEE. MARY J.NEWELL IS NOW DECEASED AND IS SURVIVED BY HER PARENTS, CHARLES F. NEWELL AND MILDRED NEWELL.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his successors and assigns forever. We covenant with the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and that the same is unencumbered except as otherwise herein set out.

We further covenant and bind ourselves, our heirs and representatives to warrant and forever defend the title to the said land to the said GRANTEE, his successors and assigns, against the lawful claims of all persons whomsoever.

THIS DEED is an absolute conveyance of title in effect as well as in form, and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration therefore in addition to that hereinabove set forth is the full release of all debts, obligations, and charges heretofore existing on account of and by the terms of that certain Deed of Trust on the property herein conveyed. Said Deed of Trust is dated July 29, 1991, executed by Mary J. Newell, unmarried and recorded in Book 8415, page 475, in the Register's Office for Davidson County, Tennessee, and this conveyance is for the purpose of completely satisfying said obligation and terminating said Deed of Trust and notes secured thereby, and any effect thereof in all respects.

THE GRANTORS further warrant that, as of the date of execution of this instrument, Mary J. Newell did not own any other property subject to a mortgage insured by the Secretary of Housing and Urban Development or held by the Secretary of Housing and Urban Development; and further that she had not filed a petition in bankruptcy within three (3) months prior to the execution of this deed.

Charles F. Newell
Charles F. Newell

Mildred V Newell
Mildred Newell

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

94 MAR 25 AM 9:26
REGISTER
COUNTY, TN.

31429
IDENTIF. & REFERENCE

STATE OF Michigan
COUNTY OF Van Buren

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within

named Charles F. Newell and wife, Mildred Newell, heirs to the Estate of Mary J. Newell, the bargainors, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at South Haven, Michigan this 7th day of March, 1994.

My Commission Expires: October 9, 1996 Catherine Green

Notary Public

CATHERINE GREEN
NOTARY PUBLIC VAN BUREN CO., MICH.
MY COMMISSION EXPIRES 10-09-96

STATE OF Michigan

COUNTY OF Van Buren

The actual value or consideration, whichever is greater for this transfer is $54,693.08.

Charles F. Newell

Affiant

Subscribed and sworn to before me, this the 7th day of March, 1994.

Catherine Green

Notary Public

My Commission Expires: 10/09/96

CATHERINE GREEN
NOTARY PUBLIC VAN BUREN CO., MICH.
MY COMMISSION EXPIRES 10-09-96

EXHIBIT A

THIS INSTRUMENT PREPARED BY:
Clement, Gibson & Gregory
Suite 600, 200 Fourth Ave., North
Nashville, Tennessee 37219

AFFIDAVIT OF HEIRSHIP

Andrew B. Gibson, Jr., being first duly sworn, deposes and says as follows:

The undersigned resides at 9237 Kingsboro Court, Brentwood, Tennessee, and has lived in Williamson County for ten (10) years;

The undersigned was personally acquainted with the Family of Mary Newell for several years and knows of his own knowledge that the only heirs-at-law of Mary Newell at the time of her death were as follows:

Charles F. Newell and Mildred Newell,
who are the parents of Mary Newell
13240 M-140
South Haven, MI 49090

and that all of the above persons are over the age of 18 years;

Mary Newell died intestate on January 6, 1994.

I am not related by blood or marriage to any of the persons named herein, and that I have no financial interest in the above described property.

Andrew B. Gibson, Jr.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Andrew B. Gibson, Jr., the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at office, this 10th day of February, 1994.

Janelle J. McGuire
Notary Public

JANELLE J. McGUIRE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TEXAS

My Commission Expires: 9/27/97

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