This Instrument Prepared By:
WYATT, TARRANT & COMBS
1500 Nashville City Center
511 Union Street
Nashville, Tennessee 37219

| Address New Owner(s): | Send Tax Bills To: | Map & Parcel Nos.: |
|---|---|---|
| First Security Bank of Tennessee<br>616 Marriott Drive<br>P.O. Box 305171<br>Nashville, TN 37230 | SAME | 75-6A-77 |

**TRUSTEE'S DEED**

WHEREAS, default was made in the terms, conditions and payments provided for and made in a Deed of Trust dated October 28, 1985, executed by Dallas P. Allison, Jr., married, to Everett A. Covington, Jr., Trustee, of record in Book 6708, page 545, Register's Office for Davidson County, Tennessee (the "Deed of Trust"); and

WHEREAS, First Security Bank of Tennessee, the owner and holder of the indebtedness secured by said Deed of Trust of record in Book 6708, page 545, Register's Office for Davidson County, Tennessee, replaced said Trustee by naming Hugh J. Bradley as Successor Trustee ("Successor Trustee") by an instrument of record in Book 9196, page 23, Register's Office for Davidson County, Tennessee, and authorized, Hugh J. Bradley, Successor Trustee to act with the powers given the Trustee in said Deed of Trust; and

WHEREAS, First Security Bank of Tennessee has replaced Hugh J. Bradley as Successor Trustee by appointing F.M. Puryear as Successor Trustee to act with the powers given the Trustee in said Deed of Trust, pursuant to an instrument of record in Book 9340, page 30, Register's Office for Davidson County, Tennessee; and

WHEREAS, the validity, first priority and senior status of said Deed of Trust of record in Book 6708, page 545, Register's Office for Davidson County, Tennessee, has been ordered, declared and finally determined by a Declaratory Judgment Order entered in the Chancery Court for Davidson County, Tennessee, In re: First Security Bank of Tennessee vs. Dallas P. Allison, Jr., et al., and filed for record in Book 9306, page 488, Register's Office for Davidson County, Tennessee.

WHEREAS, the Successor Trustee, caused said real property to be advertised in accordance with the provisions of said Deed of Trust, advertising that said property would be sold at 12:15 P.M., prevailing time, on Tuesday, May 10, 1994, at the front/main door of the Metropolitan Davidson County Courthouse, Nashville, Davidson County, Tennessee, to be knocked off and sold to the highest, best and last bidder for cash, and free from the equity of redemption, homestead, dower, and all other exemptions as provided in said Deed of Trust; but subject to any and all mortgages, liens, claims, and unpaid taxes which may be a lien against said property; and

WHEREAS, the Successor Trustee personally appeared and offered said property for sale at public outcry and the highest, best and last bid received was the sum of thirty one thousand eight hundred sixty seven and 26/100 ~~100~~ Dollars ($31,867.26) by First Security Bank of Tennessee (hereinafter referred to as the "Grantee") and said property was knocked off and sold to the Grantee.

NOW, THEREFORE, in consideration of the premises and sum of thirty ~~one~~ thousand eight hundred sixty seven and 26/100 ~~100~~ Dollars ($31,867.26) cash in hand paid by the Grantee, Successor Trustee, has this day bargained and sold and, by the premises, does transfer and convey to Grantee, its/their heirs, successors and assigns, a certain tract or parcel of land situated in Davidson County, Tennessee, and described as follows:

> Being Unit No. 39-A, Phase 4, of Hermitage Villa Condominiums as shown by the Master Deed and ByLaws of Hermitage Villa Condominiums of record in Book 6623, page 595, Register's Office of Davidson County, Tennessee, to which reference is hereby made for a more complete description of said unit, together with an undivided interest in the common elements for Hermitage Villa Condominiums appurtenant to said unit as defined in the said Master Deed and By Laws for Hermitage Villa Condominiums.
>
> Being the same property conveyed to Dallas P. Allison, Jr., by deed from Hillsboro Property Management of record in Book 6708, page 542, Register's Office for Davidson County, Tennessee.

Said property is known as 4231 Samoa Drive, Hermitage, Davidson County, Tennessee 37076.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee, its/their heirs, successors and assigns forever.

And the Successor Trustee covenants with the said Grantee that he is lawfully seized and possessed of said real property as Successor Trustee only and, by the terms of the above-mentioned Deed of Trust, has a good right to sell and convey the same and that same is unencumbered except for any and all mortgages, liens, claims, and any and all unpaid taxes that may be a lien against said real estate.

The Successor Trustee further covenants and binds himself/his successors and assigns, to warrant and forever defend the title to said real estate to the Grantee, its/their heirs, successors and assigns, against the lawful claims of any persons claiming by or through him as Successor Trustee, but no further or otherwise; it being the intention of the Successor Trustee only to convey to Grantee no greater title in the subject real estate than he received as Successor Trustee and that, as Successor Trustee, he has the right to sell and convey.

This sale is subject to the following:

1. 1994 Davidson County real property taxes, a lien, but not presently due and payable;

2. Encroachments, overlaps, boundary line disputes and any other matters which would be disclosed by an accurate survey or inspection of the premises;

3. Easements or claims of easements not shown by public records;

4. Any and all unpaid taxes and special assessments;

5. Any and all restrictions, easements, setback lines which may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any deeds of trust or other prior encumbrances that may exist against the property;

6. The United States has claimed a lien with respect to the provisions of 26 U.S.C. §7425(b) as recorded in Book 9026, page 983, Register's Office for Davidson County, Tennessee. Notice, as required by 26 U.S.C. §7425(b) has been given to the United States on a timely basis on April 12, 1994. A copy of the notice and any written response thereto are attached as Collective Exhibit A. The sale of the land will be subject to the right of the United States to redeem the land as provided for in 26 U.S.C. §7425(d)(1);

7. The United States has claimed a lien with respect to the provisions of 26 U.S.C. §7425(b) as recorded in Book 9219, page 747, Register's Office for Davidson County, Tennessee. Notice, as required by 26 U.S.C. §7425(b) has been given to the United States on a timely basis on April 12, 1994. A copy of the notice and any written response thereto are attached as Collective Exhibit B. The sale of the land will be subject to the right of the United States to redeem the land as provided for in 26 U.S.C. §7425(d)(1);

8. The State of Tennessee has claimed a lien with respect to the property pursuant to the provisions of Tennessee Code Annotated §67-1-1433(b)(1) in Book 8874, page 483, Register's Office for Davidson County, Tennessee. required Notice to be given to the State of Tennessee in order for the sale of the land not be to subject to such lien or claim of lien of the State of Tennessee has been given as required by Tennessee Code Annotated §67-1-1433(b)(1) on a timely basis. A copy of the notice and any written response thereto are attached as Collective Exhibit C. The lien identified above,will be subject to the right of the State of Tennessee to redeem the property as provided for in Tennessee Code Annotated §67-1-1433(c)(1);

9. Restrictive covenants contained in an instrument of record in Book 3924, page 25; Book 3460, page 583, amended in Book 3952, page 881, said Register's Office;

10. Terms, provisions, covenants, conditions, easements and rights established by and contained in the Master Deed and Bylaws for Hermitage Villa Condominiums, filed for record in Book 6623, page 595, Register's Office for said County;

11. Limitations and conditions imposed by the Horizontal Property Act, as set out in Tennessee Code Annotated, §64-2704 et seq.;

12. Terms and conditions of any unrecorded leases;

13. Any zoning ordinance of the City of Hermitage or Davidson County, Tennessee;

14. Title to that portion of the premises embraced within the bounds of any public roads or highways;

15. No warranty, express or implied, is made by the Trustee or the holder of the indebtedness as to the condition of the property or the improvements located thereon;

Witness my hand this 10 day of May, 1994.

F.M. Purvear

F.M. Purvear, Successor Trustee

94 MAY 10 PM 1:22

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

48531

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, The Undersigned, a Notary Public of this county and state, F.M. Puryear, Successor Trustee, 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 within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of May, 1994.

Thomas L. Sealy
NOTARY PUBLIC

My Commission Expires:

3-23-96

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $31,867.26.

Randy Mingle
AFFIANT

Subscribed and sworn before me on this 10 day of May, 1994.

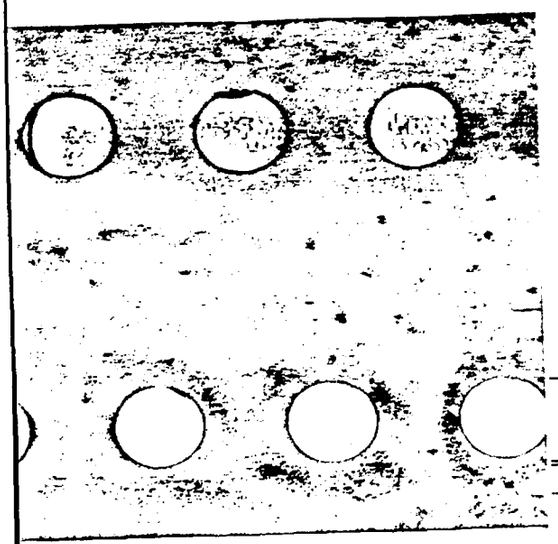
Thomas L. Sealy
NOTARY PUBLIC

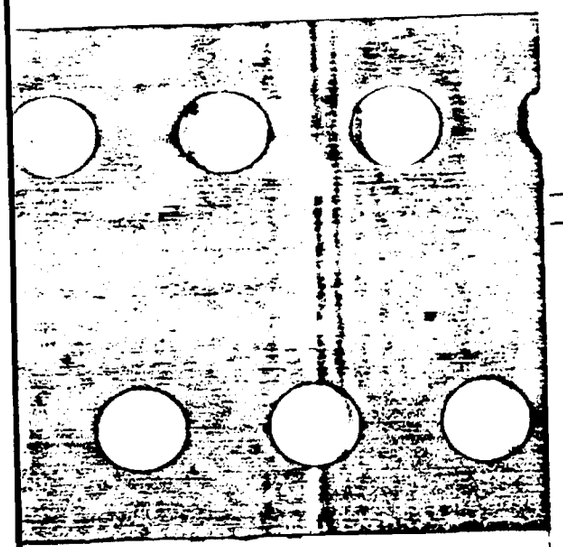
My Commission Expires:

3-23-96

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

4400 05/10 0101 03CHECK 138.94





**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 9340 PAGE 395

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|

CAMT 31867.26
CON TX 117.91
PRFEE 1.00
MISC 20.00
TOTAL 138.91
CHECK 138.91

05/10/94 01 13:21 0001 4400

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

48531
IDENTIF. & REFERENCE

94 MAY 10 PM 1:22

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

No. 789447