58507

IDENTIFICATION REFERENCE

This instrument prepared by:
Jennifer Franks, Attorney
P. O. Box 681133
Franklin, Tennessee 37068-1133
615/794-6527

94 JUN -7 AM 11:17
DAVIDSON COUNTY REGISTER

SUCCESSOR TRUSTEE'S DEED

ADDRESS NEW OWNER:	SEND TAX BILLS TO:	MAP & PARCEL:
Secretary of U.S. Dept. of Housing & Urban Development 251 Cumberland Bend Drive Nashville, Tennessee 37228-1803	SAME	**149 3 48**

BOOK 9371 PAGE 232

This is improved property known as **2538 Edge O Lake Drive, Nashville,** Tennessee **37217.**

WHEREAS, by Deed of Trust dated **August 29, 1980** and recorded in Book **5646,** page **878,** Register's Office for **Davidson** County, Tennessee, **Lawrence Paul Hendricks & Kay N. Hendricks, married,** (assumed by Frank Ovsenar etux, Hermine Ovsenar & Brenda J. Fisher & Billy Jo McMullin etux, Teresa J. McMullin & Harry W. Hayes & Tara Lavergne Hayes & Leona Frierson), conveyed to **Harold W. Fogelberg,** Trustee(s) the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured by assignment of record in Book **8201,** page **356,** said Register's Office, appointed the undersigned as Successor Trustee by instrument recorded in **Book 9329, page 206,** said Register's Office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and besty bidder for cash at which sale, the Secretary of U.S. Department of Housing and Urban Development of Washington, D.C. , the holder of the secured indebtedness, being the highest and best bidder became the purchaser of said property at and for the sum of EIGHTY TWO THOUSAND EIGHT HUNDRED ONE AND 50/100 ($82,801.50) DOLLARS.

NOW, THEREFORE, in consideration of the premises, the undersigned, **JENNIFER FRANKS, AS SUCCESSOR TRUSTEE,** does hereby grant, bargain, sell and convey unto the said **SECRETARY OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C.** the following described property being in the County of **Davidson,** State of Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot No. 398 on the Plan of Edge-O-Lake Estates, Section 6, as of record in Book 3700, page 16, said Register's Office.

Said Lot No. 398 fronts 89.01 feet on the northerly side of Edge-O-Lake Drive and runs back between lines 195.68 feet on the easterly side and 127.25 feet on the westerly side to a line in the rear on which it measures 92.69 feet thereon.

Being the same property conveyed to Lawrence P. Hendricks and wife, Kay N. Hendricks by deed from Brownlow Lewis and wife, Estelle J. Lewis of record in Book 4593, page 162, Register's Office for Davidson County, Tennessee. And being the same property conveyed to Frank Ovsenar etux, Hermine Ovsenar in Book 5649, page 870; then to Brenda J. Fisher in Book 5743, page 155; then to Billy Jo McMullin etux, Teresa J. McMullin in Book 5751, page 427; then to

Harry W. Hayes and Leona Frierson in Book 6012, page 258; then to Tara Lavergne Hayes in Book 7421, page 562, re-recorded in Book 7858, page 416; then to Leona Frierson in Book 8066, page 663, RESPECTIVELY, all of the Register's Office for Davidson County, Tennessee.

Together with and including the improvements located on the aforesaid premises.

Without limitation, this conveyance of the above described property is subject to the rights of the State of Tennessee to redeem the land as provided for in T.C.A. Section 67-1-1433(c)(1). See attached as Exhibit "A" a copy of the notice provided to the State of Tennessee and response to same.

This conveyance is made subject to all unpaid taxes and to all other restrictions, easements and encumbrances of record.

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 the Secretary of U.S. Department of Housing and Urban Development of Washington, D.C. in fee simple forever, to whom the said Jennifer Franks, as Successor Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through, or under her as Successor Trustee, but not further or otherwise.

IN WITNESS WHEREOF, Jennifer Franks as Successor Trustee, has caused this instrument to be executed this **7th** day of **June**, 1994.

JENNIFER FRANKS
SUCCESSOR TRUSTEE

STATE OF TENNESSEE
COUNTY OF Williamson

Personally appeared before me, the undersigned, a Notary public in and for said County and State aforesaid, Jennifer Franks as Successor Trustee, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in Franklin, Tennessee this **7th** day of **June**, 1994.

Laurie M. Hart
NOTARY PUBLIC

MY COMMISSION EXPIRES: 12-8-96

LAURIE M HART NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

Exhibit "A" p. 1 of 3

JENNIFER FRANKS
ATTORNEY AT LAW
P. O. BOX 681133
FRANKLIN, TENNESSEE 37068-1133
615/794-6527

May 3, 1994

BOOK 9371 PAGE 234

Mr. Wilbur Hooks
State of Tennessee
Department of Revenue
Tax Enforcement Division
P. O. Box 190665
Nashville, Tennessee 37219-0665

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Re: Foreclosure of
2538 Edge-O-Lake Drive
Nashville, Davidson County, TN 37217

Leona Frierson D.B.A. Lee's Market
Notice of State Tax Lien of record in Book 8221, page 303, Register's Office for said County. (copy enclosed)
LIEN I.D. 90290006
ACCOUNT NO. 1-414885121-001-6

Dear Mr. Hooks:

Pursuant to T.C.A. 67-1-1433 I am hereby giving notice, on behalf of the Secretary of U.S. Department of Housing and Urban Development, of a sale of property on which the State of Tennessee claims a lien.

I am enclosing herewith a copy of the Notice of Tax Lien above referenced, which was filed on behalf of the State of Tennessee on October 22, 1990 in the Register's Office for Davidson County, Tennessee.

I am also enclosing herewith a copy of the Notice of Foreclosure which contains a detailed description of the property affected. The Notice also contains the date, time, place and terms of the sale of the property.

The total outstanding indebtedness, including accrued interest, as of the foreclosure date, due the Secretary of HUD, together with the expected expenses of sale at the time of foreclosure will be approximately **$82,801.50,** a breakdown of which is enclosed.

This letter is being duplicated and I request that you execute a copy of this letter consenting to the sale of the above

Exhibit "A" Cont. p. 2 of 3

referenced property, thereby discharging or divesting such property of the lien heretofore described.

If you are unable to execute this agreement for the purpose of consenting to the discharge of the lien, I ask you to execute a copy of this letter for the purpose of acknowledging that you received proper notice.

To the best of my knowledge the above information represents all of the facts in regard to your lien, the mortgage held by the Secretary of HUD and the time and place of the foreclosure sale.

Very truly yours,

Jennifer Franks
Successor Trustee

Enclosures

Consents to the discharge of the tax lien above described.

_____

Acknowledges receipt of proper notification.

_____

3363 06/07 0101 03CHECK 20.00

Exhibit "A" cont. p. 3 of 3

BOOK 9371 PAGE 236

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

May 20, 1994

Jennifer Franks
Attorney at Law
Post Office Box 681133
Franklin, Tennessee 37068-1133

RE: FORECLOSURE SALE OF PROPERTY OWNED BY
Leona Frierson
Account Number: 1-414885121-001-6

Dear Ms. Franks:

This is in reference to your letter dated May 3, 1994 concerning a foreclosure sale of property owned by **Leona Frierson.**

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 **June 20, 1994** is **$1,732.14.**

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
Revenue Enforcement Division

Wilbur E. Hooks
Administrative Assistant
Special Procedures Section

JSP:WEH:mab

cc: Al Laney, Revenue Enforcement Supervisor, Memphis Regional Office
Bevan Canale, Revenue Enforcement Supervisor, Memphis Regional Office