81664

41

IDENTIFICATION REFERENCE

94 AUG 16 AM 11:00

REGISTER
DAVIDSON COUNTY, TN.

BOOK 9438 PAGE 31

This instrument prepared by:
Bradley A. MacLean
FARRIS, WARFIELD & KANADAY
424 Church St., Suite 1900
Nashville, Tennessee 37219

Address New Owner(s) as Follows:

4409 Tyne Boulevard
Nashville, TN 37215

Send Tax Bills To:

Same

Map-Parcel No.:

130-13-23

SUCCESSOR TRUSTEE'S DEED

This instrument is made and entered into on this the 15th day of August, 1994, by BRADLEY A. MACLEAN, Successor Trustee (hereinafter referred to as "Successor Trustee").

WHEREAS, by Deed of Trust dated the 22nd day of March, 1985, of record in Book 7816, page 760, Register's Office for Davidson County, Tennessee ("Deed of Trust"), JAMES W. STEWART and SIBYL D. STEWART conveyed to JULIAN L. BIBB, Trustee, the hereinafter described real estate, to secure payment of certain indebtedness to THIRD NATIONAL BANK IN NASHVILLE; and

WHEREAS, Julian L. Bibb was unable to serve as such Trustee and Third National Bank in Nashville, the holder of the indebtedness secured by the Deed of Trust, appointed BRADLEY A. MACLEAN to serve as Successor Trustee in accordance with the terms of the Deed of Trust by an instrument of record in Book 9394, page 731, Register's Office for said County; and

WHEREAS, the indebtedness secured by the Deed of Trust became overdue and unpaid, and other conditions of default occurred, by reason of which the lawful owner and holder of the indebtedness secured by the Deed of Trust declared the indebtedness and the Deed of Trust to be in default; and

WHEREAS, the lawful holder of the indebtedness secured by the Deed of Trust directed the Successor Trustee to sell the property held as security under the Deed of Trust as provided therein, and the Successor Trustee caused notice to be published in The Nashville Record that the property would be sold at 11:00 o'clock

a.m. on July 30, 1994, at the location of the property at 4409 Tyne Boulevard, Nashville, Davidson County, Tennessee 37215, such advertisement appearing in said paper on July 7, July 14, and July 21, 1994; and

WHEREAS, a Notice of Federal Tax Lien dated April 29, 1991, was filed for record on May 10, 1991, in Book 8349, page 415, Register's Office for Davidson County, Tennessee; and

WHEREAS, on July 1, 1994, the Successor Trustee timely served on the Internal Revenue Service a Notice of Sale pursuant to 26 U.S.C. § 7425(b), a copy of which is attached hereto as Exhibit A, and receipt of this Notice was acknowledged; and

WHEREAS, the Internal Revenue Service has not provided any other written response to said Notice; and

WHEREAS, a Notice of State Tax Lien dated July 29, 1991, was filed for record on August 1, 1991, in Book 8410, page 868, Register's Office for Davidson County, Tennessee; and

WHEREAS, on July 1, 1994, the Successor Trustee timely served on the Commissioner of Revenue for the State of Tennessee a Notice of Sale pursuant to T.C.A. § 67-1-1433(b)(1), a copy of which is attached hereto as Exhibit B, and receipt of this Notice was acknowledged; and

WHEREAS, the State of Tennessee further responded to said Notice by letter dated July 8, 1994, a copy of which is attached hereto as Exhibit C; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices offered the property for sale, and after opening the floor for competitive bids, sold the property described below to Henry Blackmer Kistler, Jr., and Susan Keller Kistler, at the price of Four Hundred Ninety Five Thousand and 00/100 Dollars ($495,000.00), this being the highest, last and best bid for the property.

NOW, THEREFORE, I, BRADLEY A. MACLEAN, Successor TRUSTEE as aforesaid, in consideration of the premises and the sum of Four Hundred Ninety Five Thousand and 00/100 Dollars ($495,000.00), to me in hand paid, the receipt of which is hereby acknowledged, by

these presents do transfer and convey unto HENRY BLACKMER KISTLER, JR., AND SUSAN KELLER KISTLER, their successors and assigns (collectively "Grantee"), all of my right, title and interest in and to the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

> Land in Davidson County, Tennessee, being described as follows:
>
> LAND in Davidson County, Tennessee, being a portion of Lot No. 2, Block 1, on the plan of a portion of T. J. Tyne's Tract, of record in Book 547, page 188, said Register's Office; and an adjoining tract of Land being a portion of a tract of land marked "Reserved" on the Plan of Chickering Hills Subdivision, Section One, of record in Book 2331, page 8, said Register's Office, described according to a September 14, 1981 survey by John B. Kohl, III, Tennessee Registered Land Surveyor No. 100, as follows:
>
> BEGINNING at a point in the southwesterly margin of Tyne Boulevard, at the common front corners of Lots 2 and 3 of said T. J. Tyne's Subdivision said point also being the northwesterly corner of the property conveyed to Frances O. Brown, of record in Book 5742, page 117, said Register's Office; thence leaving the southwesterly margin of Tyne Boulevard with Brown's westerly line, southwardly 414.24 feet to the northerly line of said "Reserved" tract of the Chickering Hills Subdivision, thence southeastwardly 22.44 feet to a point; thence S 28° 28' W 140 feet, more or less, to the center of Richland Creek; thence with said creek, northwestwardly 115 feet, more or less, to a point; thence N 21° 37' E 133.8 feet to a point in the southerly line of Lot 2 of said T. J. Tyne's Subdivision; thence with said line northwestwardly 50 feet, more or less, to the southwesterly corner of said Lot 2; thence northeastwardly 425.0 feet to the southwesterly margin of Tyne Boulevard; thence with said margin, southeastwardly 212.5 feet to the point of beginning.
>
> Being the same property conveyed to James W. Stewart and wife, Sibyl D. Stewart, by Deed from William J. Anderson, III and wife, Sally Smith Anderson, of record in Book 5798, page 656, Register's Office for Davidson County, Tennessee. Being the same property conveyed to Julian L. Bibb, Trustee, under that Deed of Trust of record in Book 7816, page 760, said Register's Office. Bradley A. MacLean was appointed Successor Trustee by instrument of record in Book 9394, page 731, said Register's Office.

The street address of the property is 4409 Tyne Boulevard, Nashville, Tennessee 37215.

To have and to hold the aforesaid real estate, together with all improvements thereon, free of all rights waived in the Deed of Trust or exemptions (including without limitation the equity of redemption and statutory rights of redemption), as provided in, but only to the extent provided in, said Deed of Trust.

Said sale is subject to certain easements, restrictions, liens, taxes, etc., including, but not limited to the following:

(1) Title to that portion of the premises lying within the bounds of any roads, streets, or highways.

(2) Such easements and restrictions as may be applicable.

(3) Any other liens, assessments, defects, encumbrances, adverse claims or other matters which take priority over the Deed of Trust or which affect the land herein conveyed.

(4) The rights of redemption held by the Internal Revenue Service as provided for in 26 U.S.C. § 7425(d)(1).

(5) The rights of redemption held by the State of Tennessee as provided for in T.C.A. § 67-1-1433(c)(1).

(6) Rights or claims of parties in possession.

(7) Encroachments, overlaps, boundary line disputes or other matters which would be shown by an accurate survey or inspection of the premises.

WITNESS the signature of the Successor Trustee on this the day and date first above written.

Bradley A MacLean, Trustee

Bradley A. MacLean,
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Linda Bruckert, a Notary Public of the State and County aforesaid, personally appeared Bradley A. MacLean, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Successor Trustee, and that he as such Successor Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing his name as Successor Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this 4th day of August, 1994.

Linda Bruckert
Notary Public

My commission expires: 3-22-97

LINDA A. BRUCKERT NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value whichever is greater, for this transfer is $ 415,000.00.

Henry B. Goodrich Jr.
Affiant

Subscribed and sworn to before me this the 15th day of August, 1994.

Lisa K. Jackson
Notary Public

My commission expires: January 24, 1998

NOTARY PUBLIC AT LARGE

8427 08/16 0101 03CHECK 1892-50

EXHIBIT A

41

FARRIS, WARFIELD & KANADAY

ATTORNEYS AT LAW

THIRD NATIONAL FINANCIAL CENTER
424 CHURCH STREET, SUITE 1900
NASHVILLE, TENNESSEE 37219-2387
TELEPHONE (615) 244-5200
FAX (615) 726-3185

BOOK 9438 PAGE 36

THIRD NATIONAL BANK BUILDING
201 FOURTH AVENUE NORTH, 17TH FLOOR
NASHVILLE, TENNESSEE 37219-2040
TELEPHONE (615) 244-5200
FAX (615) 244-1972

BRADLEY A. MACLEAN

Direct Dial: (615) 782-2237
Telecopier: (615) 244-1972

HAND DELIVERED
July 1, 1994

District Director
Internal Revenue Service
801 Broadway
Nashville, Tennessee 37203
Attn: Chief, Special Procedures Staff

Re: Section 7425 Notice of Sale

Dear District Director:

This firm represents Third National Bank in Nashville which holds a Consolidated Note executed by James W. Stewart, dated July 22, 1985, in the original principal amount of $2,554,995.40 (the "Note"). The Note is secured by a deed of trust lien on certain real property (the "Property") described in that Tennessee Deed of Trust, Assignment of Rents and Security Agreement dated March 22, 1989, recorded April 13, 1989 in Book 7816, page 760, Register's Office of Davidson County, Tennessee ("Deed of Trust"). The Note is in default and demand for payment of the amount in default has been made, but such demand has not been honored. The holder of the Note and Deed of Trust, therefore, has declared the Note to be in default so that full payment of the Note is now required and has demanded that the property covered by the Deed of Trust, and hereinafter described, be advertised and sold in satisfaction of said indebtedness and the costs of foreclosure.

It is my understanding that the Internal Revenue Service has filed a notice of federal tax lien against the Property. Therefore, this notice is being submitted to you pursuant to Section 7425 of the Internal Revenue Code of 1986, as amended, as follows:

1. This notice is submitted by Farris, Warfield & Kanaday, Suite 1900, Third National Financial Center, 424 Church Street, Nashville, Tennessee 37219, on behalf of Third National Bank in Nashville, 444 James Robertson Parkway, Nashville, Tennessee 37219.

2. The Nashville District of the Internal Revenue Service has filed a Notice of Federal Tax Lien ("Tax Lien Notice") against

James W. Stewart, in the amount of $92,382.90. The address of said taxpayer as shown on the Tax Lien Notice is 4409 Tyne Boulevard, Nashville, Tennessee 37215-4548. The Tax Lien Notice bears Serial Number 629152113, was dated April 29, 1991, and is of record in Book 8349, page 415, Register's Office of Davidson County, Tennessee, having been recorded at said Register's Office on May 10, 1991. A copy of said Tax Lien Notice is enclosed herewith for your convenience.

3. The street address of the Property is 4409 Tyne Boulevard, Nashville, Tennessee, said property being more particularly described as that certain real property situated in Davidson County, Tennessee, as follows:

> LAND in Davidson County, Tennessee, being a portion of Lot No. 2, Block 1, on the plan of a portion of T. J. Tyne's Tract, of record in Book 547, page 188, said Register's Office; and an adjoining tract of Land being a portion of a tract of land marked "Reserved" on the Plan of Chickering Hills Subdivision, Section One, of record in Book 2331, page 8, said Register's Office, described according to a September 14, 1981 survey by John B. Kohl, III, Tennessee Registered Land Surveyor No. 100, as follows:
>
> BEGINNING at a point in the southwesterly margin of Tyne Boulevard, at the common front corners of Lots 2 and 3 of said T. J. Tyne's Subdivision said point also being the northwesterly corner of the property conveyed to Frances O. Brown, of record in Book 5742, page 117, said Register's Office; thence leaving the southwesterly margin of Tyne Boulevard with Brown's westerly line, southwardly 414.24 feet to the northerly line of said "Reserved" tract of the Chickering Hills Subdivision, thence southeastwardly 22.44 feet to a point; thence S 28° 28' W 140 feet, more or less, to the center of Richland Creek; thence with said creek, northwestwardly 115 feet, more or less, to a point; thence N 21° 37' E 133.8 feet to a point in the southerly line of Lot 2 of said T. J. Tyne's Subdivision; thence with said

line northwestwardly 50 feet, more or less, to the southwesterly corner of said Lot 2; thence northeastwardly 425.0 feet to the southwesterly margin of Tyne Boulevard; thence with said margin, southeastwardly 212.5 feet to the point of beginning.

Being the same property conveyed to James W. Stewart and wife, Sibyl D. Stewart, by Deed from William J. Anderson, III and wife, Sally Smith Anderson, of record in Book 5798, page 656, Register's Office for Davidson County, Tennessee.

4. The Property will be sold at public auction for cash on Saturday, July 30, 1994 at 11:00 a.m. at the Property, 4409 Tyne Boulevard, Nashville, Tennessee. Enclosed herewith is a copy of the Notice of Foreclosure.

5. The approximate amount of principal indebtedness on the Note is $1,818,165.67 with accrued interest as of July 1, 1994, in the amount of $792,777.99. Accordingly, the total indebtedness secured by the Deed of Trust as of July 1, 1994 is approximately $2,610,943.66 plus the expenses and attorney's fees incurred in connection with this foreclosure. The per diem rate of interest for every day after July 1, 1994 is approximately $622.66. It is anticipated that additional costs and expenses in this foreclosure will be not less than $500.00.

The Property is also subject to the following encumbrances:

1. Metro taxes for 1994, a lien not yet due and payable; Metro taxes for 1993, $6,116.25, Due, plus Penalty and Interest; (Map-Parcel No. 130-14-23, Field Book No. BM-9240) (Tract 2).

2. Belle Meade City taxes for 1994, a lien not yet due and payable; Belle Meade City taxes for 1993, $1,275.68, Paid.

3. Deed of Trust executed by James W. Stewart and wife, Sibyl D. Stewart, to McCoy C. Zachry, Trustee, of record in Book 5798, page 659, dated September 24, 1981, recorded September 25, 1981, said Register's Office, to secure payment to First American Bank of Nashville, N.A. of indebtedness in

the original principal amount of $250,000.00 and any other sums which may be and/or become payable under the terms thereof including, but not limited to principal, interest, and service fee.

4. Notice of State Tax Lien filed against James W. & Sybil Stewart, and recorded in Book 8410, page 868, said Register's Office.

5. Certified Copy of an Order of Default Judgement granted in the Chancery Court for Davidson County, Tennessee, Docket No. 92-3734-III, which granted a judgement in favor of First Tennessee Bank and against James W. Stewart in the amount of $263,573.38, plus attorneys fees in the amount of $20,000.00 and costs, and recorded in Book 8911, page 654, Register's Office for Davidson County, Tennessee.

6. Certified Copy of an Order and Judgement granted in the Circuit Court of Davidson County, Tennessee, Case No. 91C-606, which granted a judgement in favor of Woodmont Centre, Inc., and against James W. Stewart in the amount of $55,028.45, plus costs, and recorded in Book 9160, page 725, Register's Office for Davidson County, Tennessee.(The $55,028.45 figure includes the plaintiff's attorneys' fees.)

7. Certified Copy of an Order Granting Final Judgement in favor of First American National Bank and against Tennlite, Inc., and James W. Stewart, jointly and severally, in the amount of $1,434,005.10, plus costs, and recorded in Book 9289, page 14, Register's Office for Davidson County, Tennessee.

Please accept this letter as the twenty-five (25) day notice required by Section 7425 of the Internal Revenue Code of 1986, as amended, which notice must be given to the Secretary of the

Treasury or his or her delegate. Please advise me immediately of any deficiency or inadequacy in this notice.

Very truly yours,

FARRIS, WARFIELD & KANADAY

Bradley A. MacLean

Bradley A. MacLean by mcvp

BAM/btt
Enclosure

cc: Steve Lancaster

Personal Service Accepted:

By: Faye Spann

Title: Secretary

136493.1 7/1/94

EXHIBIT B

BOOK 9438 PAGE 41

FARRIS, WARFIELD & KANADAY
ATTORNEYS AT LAW
THIRD NATIONAL FINANCIAL CENTER
424 CHURCH STREET, SUITE 1900
NASHVILLE, TENNESSEE 37219-2387
TELEPHONE (615) 244-5200
FAX (615) 726-3185

THIRD NATIONAL BANK BUILDING
201 FOURTH AVENUE NORTH, 17TH FLOOR
NASHVILLE, TENNESSEE 37219-8040
TELEPHONE (615) 244-5200
FAX (615) 244-1972

July 1, 1994

HAND DELIVERED

COMMISSIONER OF REVENUE
STATE OF TENNESSEE
P.O. BOX 3287, UPTOWN STATION
NASHVILLE, TENNESSEE 37219
ATTN: DIRECTOR, TAX ENFORCEMENT
ROOM 903
ANDREW JACKSON STATE OFFICE BUILDING
500 DEADERICK STREET
NASHVILLE, TN 37242

Re: § 67-1-1433(b) Notice of Sale

Dear Commissioner:

This firm represents Third National Bank in Nashville which holds a Promissory Note executed by James W. Stewart, dated July 22, 1985, in the original principal amount of $2,554,995.40 (the "Note"). The Note is secured by a deed of trust lien on certain real property (the "Property") described in that Tennessee Deed of Trust, Assignment of Rents and Security Agreement dated March 22, 1989, recorded April 13, 1989 in Book 7816, page 760, Register's Office of Davidson County, Tennessee ("Deed of Trust"). The Note is in default and demand for payment of the amount in default has been made, but such demand has not been honored. The holder of the Note and Deed of Trust, therefore, has declared the Note to be in default so that full payment of the Note is now required and has demanded that the property covered by the Deed of Trust, and hereinafter described, be advertised and sold in satisfaction of said indebtedness and the costs of foreclosure.

It is my understanding that the State of Tennessee Department of Revenue has filed a notice of state tax lien against the property. Therefore, this notice is being submitted to you pursuant to T.C.A. § 67-1-1433(b) as follows:

1. This notice is submitted by Farris, Warfield & Kanaday, Suite 1900, Third National Financial Center, 424 Church Street, Nashville, Tennessee 37219 on behalf of Third National Bank in Nashville, 444 James Robertson Parkway, Nashville, Tennessee 37219.

2. The State of Tennessee Department of Revenue has filed a Notice of Tax Lien ("Tax Lien Notice") against James W. and Sybil Stewart. The address of said taxpayer as shown on the Tax Lien Notice is 1701 West End Avenue, Suite 402, Nashville, Tennessee. The Tax Lien Notice bears Account Numbers [redacted]-3814 and 410-20-5276, and is dated July 29, 1991. It is of record in Book 8410, page 868, Register's Office of Davidson County, Tennessee, having been recorded at said Register's Office on August 1, 1991. A copy of said Tax Lien Notice is enclosed herewith for your convenience.

3. The street address of the Property is 4409 Tyne Boulevard, Nashville, Tennessee, said property being more particularly described as that certain real property situated in Davidson County, Tennessee, as follows:

> LAND in Davidson County, Tennessee, being a portion of Lot No. 2, Block 1, on the plan of a portion of T. J. Tyne's Tract, of record in Book 547, page 188, said Register's Office; and an adjoining tract of Land being a portion of a tract of land marked "Reserved" on the Plan of Chickering Hills Subdivision, Section One, of record in Book 2331, page 8, said Register's Office, described according to a September 14, 1981 survey by John B. Kohl, III, Tennessee Registered Land Surveyor No. 100, as follows:
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> BEGINNING at a point in the southwesterly margin of Tyne Boulevard, at the common front corners of Lots 2 and 3 of said T. J. Tyne's Subdivision said point also being the northwesterly corner of the property conveyed to Frances O. Brown, of record in Book 5742, page 117, said Register's Office; thence leaving the southwesterly margin of Tyne Boulevard with Brown's westerly line, southwardly 414.24 feet to the northerly line of said "Reserved" tract of the Chickering Hills Subdivision, thence southeastwardly 22.44 feet to a point; thence S 28° 28' W 140 feet, more or less, to the center of Richland Creek; thence with said creek, northwestwardly 115 feet, more or less, to a point; thence N 21° 37' E 133.8 feet to a point in the southerly line of Lot 2 of said T. J. Tyne's Subdivision; thence with said line northwestwardly 50 feet, more or less, to the southwesterly corner of said Lot 2; thence northeastwardly 425.0 feet to the southwesterly margin of Tyne Boulevard; thence

with said margin, southeastwardly 212.5 feet to the point of beginning.

Being the same property conveyed to James W. Stewart and wife, Sibyl D. Stewart, by Deed from William J. Anderson, III and wife, Sally Smith Anderson, of record in Book 5798, page 656, Register's Office for Davidson County, Tennessee.

4. The Property will be sold at public auction for cash on Saturday, July 30, 1994 at 11:00 a.m. at the Property, 4409 Tyne Boulevard, Nashville, Tennessee. Enclosed herewith is a copy of the Notice of Foreclosure.

5. The approximate amount of principal indebtedness on the Note is $1,818,165.67 with accrued interest as of July 1, 1994, in the amount of $792,777.99. Accordingly, the total indebtedness secured by the Deed of Trust as of July 1, 1994 is approximately $2,610,943.66 plus the expenses and attorney's fees incurred in connection with this foreclosure. The per diem rate of interest for every day after July 1, 1994 is approximately $622.66. It is anticipated that additional costs and expenses in this foreclosure will be not less than $500.00.

The Property is also subject to the following encumbrances:

1. Metro taxes for 1994, a lien not yet due and payable; Metro taxes for 1993, $6,116.25, Due, plus Penalty and Interest; (Map-Parcel No. 130-14-23, Field Book No. BM-9240) (Tract 2).

2. Belle Meade City taxes for 1994, a lien not yet due and payable; Belle Meade City taxes for 1993, $1,275.68, Paid.

3. Deed of Trust executed by James W. Stewart and wife, Sibyl D. Stewart, to McCoy C. Zachry, Trustee, of record in Book 5798, page 659, dated September 24, 1981, recorded September 25, 1981, said Register's Office, to secure payment to First American Bank of Nashville, N.A. of indebtedness in the original principal amount of $250,000.00 and any other sums which may be and/or become payable under the terms thereof including, but not limited to principal, interest, and service fee.

4. Notice of Federal Tax Lien filed against James W. Stewart of 4409 Tyne Blvd., in the amount of $92,382.90, and recorded in Book 8349, page 415, Register's Office for Davidson County, Tennessee.

5. Certified Copy of an Order of Default Judgement granted in the Chancery Court for Davidson County, Tennessee, Docket No. 92-3734-III, which granted a judgement in favor of First Tennessee Bank and against James W. Stewart in the amount of $263,573.38, plus attorneys fees in the amount of $20,000.00 and costs, and recorded in Book 8911, page 654, Register's Office for Davidson County, Tennessee.

6. Certified Copy of an Order and Judgement granted in the Circuit Court of Davidson County, Tennessee, Case No. 91C-606, which granted a judgement in favor of Woodmont Centre, Inc., and against James W. Stewart in the amount of $55,028.45, plus costs, and recorded in Book 9160, page 725, Register's Office for Davidson County, Tennessee.(The $55,028.45 figure includes the plaintiff's attorneys' fees.)

7. Certified Copy of an Order Granting Final Judgement in favor of First American National Bank and against Tennlite, Inc., and James W. Stewart, jointly and severally, in the amount of $1,434,005.10, plus costs, and recorded in Book 9289, page 14, Register's Office for Davidson County, Tennessee.

Please accept this letter as the twenty-five (25) day notice required by T.C.A. § 67-1-1433(b), which notice must be given to the Commissioner of Revenue or his or her delegate. Please advise me immediately of any deficiency or inadequacy in this notice.

Very truly yours,

FARRIS, WARFIELD & KANADAY

Bradley A. MacLean

Bradley A. MacLean

BAM/btt
Enclosure

cc: Steve Lancaster

Personal Service Accepted:

By: _____

Title: _____

136545.1 7/1/94

DEPARTMENT OF REVENUE
TENNESSEE
1994 JUN 31 PM 4:06
TAX ENFORCEMENT

EXHIBIT C

JUL 1 199

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

July 8, 1994

BOOK 9438 PAGE 45

Bradley A. MacLean
Farris, Warfield & Kanaday
3rd National Financial Center
424 Church Street, Suite 1900
Nashville, Tennessee 37219-2387

RE: FORECLOSURE SALE OF PROPERTY OWNED BY:
James W. And Sybil Stewart
Account Number: Social Security Number: [redacted]-3814
Social Security Number: [redacted]-5276

Dear Mr. MacLean:

This is in response to your letter dated July 1, 1994 concerning a foreclosure sale of property owned by **James W. And Sybil Stewart.**

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 **August 15, 1994 is $42,589.22.**

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.

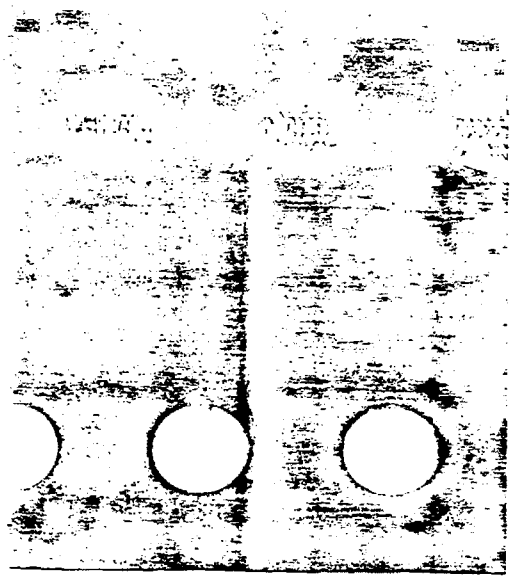
Sincerely,

John S. Peeler, Director
Revenue Enforcement Division

Wilbur E. Hooks
Administrative Assistant
Special Procedures Section

JSP:WEH:mab

cc: Bob Tyree, Revenue Enforcement Supervisor, Nashville Regional Office
Joe Cuccia, Revenue Enforcement Supervisor, Nashville Regional Office



OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

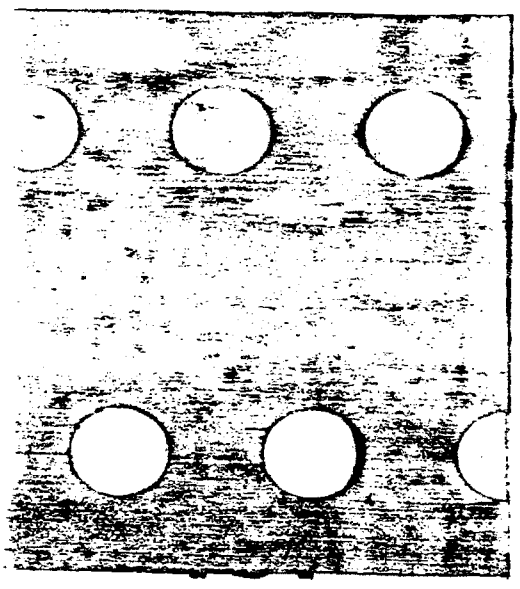
FOR _____

BOOK 9438 PAGE 46

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 495000.00
CON TX 1831.50
PRFEE 1.00
WDEED 60.00
TOTAL 1892.50
CHECK 1892.50
08/16/94 01 11:00 0001 8427



RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

81664
IDENTIF. ↑ REFERENCE

94 AUG 16 AM 11:00
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

No. 824888