Mail BOOK 9490PG486

Prepared by: Tom B. Harris, Jr., Attorney, 108 Frey Street, P. O. Box 37, Ashland City, Tennessee 37015

Address of New Owner:
James W. Atkins, dba Atkins Development Company
P. O. Box 65
Ashland City, Tennessee

Send tax bills to:
Same as new owner

Map 13 Parcel 025.00
Field Book No. 14D 3705

Address of Property: 2986 Clarksville Hwy, Joelton, TN 37080

TRUSTEE'S DEED OF CORRECTION

WHEREAS, by Trustee's Deed dated August 13, 1994, and of record in Book 9436, Page 314, in the Register's Office for Davidson County, Tennessee, Tom B. Harris, Jr., Trustee, purported to convey to James W. Atkins dba Atkins Development Company the land described therein;

WHEREAS, the said Trustee's Deed is defective because it did not recite that liens were claimed by the U. S. Internal Revenue Service and the Tennessee Department of Employment Security in and to the land described therein and, additionally, because it did not include copies of required notices sent to the said governmental bodies and the responses to such notices.

THEREFORE, this Trustee's Deed of Correction is executed and recorded for the purpose of effectually conveying the land described herein and in the said original Trustee's Deed and the following language is substituted for that included in the said original Trustee's Deed:

WHEREAS, by Deed of Trust dated June 4, 1992, of record in Book 8644, Page 447, in the Register's Office for Davidson County, Tennessee, Larry D. Brogdon and wife, Vicki E. Brogdon, conveyed to Tom B. Harris, Jr., Trustee, the hereinafter described property to secure the payment of the indebtedness evidenced by a note as described in the deed of trust; and

WHEREAS, default has occurred in the payments of the said note and the same has remained past due and unpaid, and at the request of the lawful holder and owner of said note, Tom B. Harris, Jr., Trustee, as aforesaid, has advertised said land for sale by three publication notices appearing in The Nashville Record on June 23, June 30, and July 7, 1994, on July 14, 1994, at 11:00 A. M. at the south door of the Metropolitan Nashville-Davidson County Courthouse, Nashville, Tennessee, offered said property for sale to the highest bidder for cash as provided in said advertisement, and pursuant to the authority vested in said Trustee, James W. Atkins, Proprietor do-ing business as Atkins Development Company, became the purchaser of the said property for the sum of Seven thousand eight hundred ($7,800.00) dollars, that being the highest, last and best bid received.

NOW, THEREFORE, for and in consideration of the sum of Seven thousand eight hundred ($7,800.00) dollars, which has been paid in cash, the receipt of which is hereby acknowledged, I, Tom B. Harris, Jr., Trustee, acting only in such capacity and without personal representation or warranty, by virtue of the power vested in me as such Trustee, have this day bargained and sold, and by these presents do hereby sell, transfer and convey unto James W. Atkins, Proprietor, doing business as Atkins Development Company, certain real estate located in the 14th Civil District, Joelton, Davidson County, Tennessee, to wit:

A 2.21 acre, more or less, tract known as Lot 4, Section Two, of Atkins Subdivision which is more particularly described by the plat of said Subdivision of record at Plat Book 5210, Page 380, Register's Office for Davidson County, Tennessee, to which record reference is hereby expressly made and adopted.

BEING the same property conveyed to Larry D. Brogdon and wife, Vicki E. Brogdon, by warranty deed from Atkins Construction Co., A

Tennessee Corporation, of record at Book 8644, Page 444, Register's Office for Davidson County, Tennessee.

This conveyance is subject to all easements and setback lines as shown on the plat of record in Plat Book 5210, Page 380, said Register's Office.

The U. S. Internal Revenue Service has filed liens against John W. Brogdon & Larry D. Brogdon, Partners, Big L. Masonry Co., of record in Book 7617, Page 523, and Book 9140, Page 474, in the Register's Office for Davidson County, Tennessee, and has been given timely notice pursuant to 26 U.S.C. Section 7425(b). The land herein described will be subject to the right of the United States to redeem it pursuant to 26 U.S.C. Section 7425 (d)(1). A copy of the notice given to the Internal Revenue Service is attached hereto as Exhibit "A" (2 pages with the cited enclosures omitted). A copy of the response of the Internal Revenue Service is attached hereto as Exhibit "B" (1 page).

The Tennessee Department of Employment Security has filed liens against John H. & Larry D. Brogdon, Each Individually and as Partners D/B/A Big L Masonry Co., of record in Book 8255, Page 999, and Book 8417, Page 705, in the said Register's Office, and has been given timely notice pursuant to Section 67-1-1433 (b)(1) of Tennessee Code Annotated. The land herein described will be subject to the right of the State of Tennessee to redeem it pursuant to Section 67-1-1433 (c)(1) of Tennessee Code Annotated. A copy of the notice sent to the Tennessee Department of Employment Security is attached hereto as Exhibit "C" (2 pages with the cited enclosures omitted). A copy of the response of the Tennessee Department of Employment Security is attached hereto as Exhibit "D" (1 page).

WITNESS my hand this 10th day of October, 1994.

Tom B Harris Jr

TOM B. HARRIS, JR., TRUSTEE

STATE OF TENNESSEE
COUNTY OF CHEATHAM

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, Tom B. Harris, Jr., Trustee, with whom I am personally acquainted, and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at Ashland City, Tennessee, this 10th day of October, 1994.

My Commission Expires: 5-28-95 Aubrey J. Harris

Notary Public

STATE OF TENNESSEE
COUNTY OF CHEATHAM

The actual consideration or value, whichever is greater, for this transfer is $7,800.00, the recording tax for which was paid with the original Trustee's Deed.

Tom B Harris Jr

AFFIANT

Subscribed and sworn to before me this 10th day of October, 1994.

My Commission Expires: 5-28-95 Aubrey J. Harris

Notary Public

BOOK 9490PG488

AREA CODE 615
TELEPHONE 792-7168
FACSIMILE 792-4369

TOM B. HARRIS, JR.
ATTORNEY AT LAW, P.C.

108 FREY STREET
POST OFFICE BOX NUMBER 87
ASHLAND CITY, TENNESSEE 37015

June 15, 1994

Certified Mail - Return Receipt

District Director
Internal Revenue Service
801 Broadway, Room 205
Nashville, Tennessee 37203

Attention: Chief, Special Procedure Staff

Re: Notice of nonjudicial sale of real property owned by Larry D. Brogdon and wife, Vickie E. Brogdon

Dear Sir:

This notice is sent to you pursuant to 26 U.S.C. Section 7425 and in the format required by Regulation Section 301.7425-3(d)(1).

The purpose of this notice is to respond to any claim of liens that the United States may have against the property described on Exhibit "B" and Exhibit "C" hereto by virtue of:

(a) The two (2) Notices of Federal Tax Lien Under Internal Revenue Laws filed against John W. Brogdon & Larry D. Brogdon, Partners, Big T Masonry Co., A Partnership, of record in Book 7617, Page 523, and in Book 9140, Page 474, in the Register's Office for Davidson County, Tennessee, copies of which are submitted herewith as Exhibit "D" and Exhibit "E", respectively.

(b) Any other notice of lien already filed, or which may be filed, against Larry D. Brogdon and/or Vickie E. Brogdon.

Atkins Construction Company claims a lien superior to any lien of the United States by virtue of a purchase money deed of trust note (Exhibit "A") and the related deed of trust (Exhibit "B") dated June 4, 1992, whereby Mr. and Mrs. Brogdon purchased the described property on that date. The related deed is included as Exhibit "C".

Default has been made in the payments due on the deed of trust note.

Accordingly, Atkins Construction Company has determined that the real property be advertised and sold in satisfaction of the indebtedness evidenced by the said note and of the costs of sale, in accordance with the terms of the note and of the deed of trust.

EXHIBIT "A"

Tom B. Harris, Jr., the Trustee named in the said deed of trust, will, on Thursday, July 14, 1994, at 11:00 A. M. at the south door of the Metropolitan Courthouse on the Public Square, Nashville, Tennessee, offer for sale to the highest and best bidder for cash all of the real property described on Exhibits "B" and "C" hereto.

The said real property is located at 6986 Clarksville Highway, Joelton, Davidson County, Tennessee 37080, in the Nashville District of the Internal Revenue Service. All recordation references are to the Register's Office for Davidson County, Tennessee.

The amount of the obligation, including interest to date, secured by the lien sought to be enforced is $7,247.56 plus the legal and advertising costs of causing the foreclosure sale.

Please acknowledge receipt of this notice, including the date and time, on the enclosed copy. Also, please state whether adequate notice of sale has been provided your office. A stamped and addressed envelope is enclosed for your convenience in replying.

Respectfully submitted,

Tom B. Harris, Jr.

TBHjr:ah

Enclosures:

1. Deed of Trust Note (Exhibit "A")
2. Deed of Trust, recorded at Book 8644, Page 447 (Exhibit "B")
3. Warranty Deed, recorded at Book 8644, Page 444 (Exhibit "C")
4. Notice of Federal Tax Lien, recorded at Book 7617, Page 523 (Exhibit "D")
5. Notice of Federal Tax Lien, recorded at Book 9140, Page 474 (Exhibit "E")
6. Stamped and addressed envelope

BOOK 9490 PG 490

Internal Revenue Servic

District
Director

Departmer of the Treasury

801 Broadway MDP 148
Nashville, Tennessee 37203

6/30/94

Person to Contact:
Mae Caldwell
Telephone Number:
(615) 736-2338
Refer Reply to:
62-1242992
Date:
June 29, 1994

TOM B. HARRIS, JR.
ATTORNEY AT LAW, P.C.
108 FREY STREET
ASHLAND CITY TN 37015

Re: Notice of Sale
Taxpayer: BROGDON, LARRY D & JOHN W PTR
Property Address: 6986 CLARKSVILLE HIGHWAY
JOELTON, TN 37080

Dear Mr. Harris:

We received your notice of non-judicial foreclosure concerning the property of the taxpayer identified above. The notice dated June 15, 1994 was filed on time and contains all of the required information.

If the property is sold for more than the total due on the foreclosing instrument, plus other liens senior to the Federal tax lien(s) but junior to the foreclosing instrument, the government is entitled to the surplus proceeds. Please send any surplus proceeds to the Internal Revenue Service, 801 Broadway MDP 148, Nashville, Tennesee 37202, ATTENTION Special Procedures Function.

Thank you for your cooperation.

Sincerely,

Chief, Advisory Section
Special Procedures Branch

EXHIBIT "B"

AREA CODE 615
TELEPHONE 792-7168
FACSIMILE 792-4369

TOM B. HARRIS, JR.
ATTORNEY AT LAW, P.C.

108 FREY STREET
POST OFFICE BOX NUMBER 37
ASHLAND CITY, TENNESSEE 37015

June 15, 1994

Certified Mail - Return Receipt

Office of General Counsel
Tennessee Department of Employment Security
Twelfth Floor, 500 James Robertson Parkway
Nashville, Tennessee 37245-0100

Attention: Michael D. Fort, Esq.
Staff Attorney

Re: Notice of nonjudicial sale of real property owned by Larry D. Brogdon and wife, Vickie E. Brogdon

Dear Sir:

This notice is sent to your office pursuant to Section 50-7-404 (j)(2)(B) of Tennessee Code Annotated.

The purpose of this notice is to respond to any claim of liens that the Department of Employment Security may have against the property described on Exhibit "B" and Exhibit "C" hereto by virtue of:

(a) The two (2) Notices of Tax Lien filed against John W. & Larry D. Brogdon, Each Individually and as Partners D/B/A Big L. Masonry Co. of record in Book 8255, Page 999, and Book 8417, Page 705, in the Register's Office for Davidson County, Tennessee, copies of which are submitted herewith as Exhibit "D" and Exhibit "E", respectively.

(b) Any other notice of lien already filed, or which may be filed, against Larry D. Brogdon and/or Vickie E. Brogdon.

Atkins Construction Company claims a lien superior to any lien of the Department of Employment Security by virtue of a purchase money deed of trust note (Exhibit "A") and the related deed of trust (Exhibit "B") dated June 4, 1992, whereby Mr. and Mrs. Brogdon purchased the described property on that date. The related deed is included as Exhibit "C".

Default has been made in the payments due on the deed of trust note.

Accordingly, Atkins Construction Company has determined that the real property be advertised and sold in satisfaction of the indebtedness evidenced by the said note and of the costs of sale, in accordance with the terms of the note and of the deed of trust.

EXHIBIT "C"

Tom B. Harris, Jr., the Trustee named in the said deed of trust, will, on Thursday, July 14, 1994, at 11:00 A. M. at the south door of the Metropolitan Courthouse on the Public Square, Nashville, Tennessee, offer for sale to the highest and best bidder for cash all of the real property described on Exhibits "B" and "C" hereto.

The said real property is located at 6986 Clarksville Highway, Joelton, Davidson County, Tennessee 37080. All later recordation references are to the Register's Office for Davidson County, Tennessee.

The amount of the obligation, including interest to date, secured by the lien sought to be enforced is $7,247.56 plus the legal and advertising costs of causing the foreclosure sale.

Please acknowledge receipt of this notice, including the date and time, on the enclosed copy. Also, please state whether adequate notice of sale has been provided your office. A stamped and addressed envelope is enclosed for your convenience in replying.

Respectfully submitted,

Tom B. Harris, Jr.

TBHjr:ah

Enclosures:
1. Deed of Trust Note (Exhibit "A")
2. Deed of Trust, recorded at Book 8644, Page 447 (Exhibit "B")
3. Warranty Deed, recorded at Book 8644, Page 444 (Exhibit "C")
4. Notice of Tax Lien, recorded at Book 8255, Page 999 (Exhibit "D")
5. Notice of Tax Lien, recorded at Book 8417, Page 705 (Exhibit "E")
6. Stamped and addressed envelope

STATE OF TENNESSEE
DEPARTMENT OF EMPLOYMENT SECURITY
500 James Robertson Pkwy.
Nashville, Tennessee 37245-0100
(615) 741-3170

June 28, 1994

Tom B. Harris, Jr., Esq.
P. O. Box 37
Ashland City, TN 37015

RE: Property of John W. & Larry D. Brogdon
d/b/a Big L Masonry Co.
TDES Acct. # 274-845
TDES Liens #0-2087; #1-1401
Notice of Foreclosure Sale - July 14, 1994

Dear Mr. Harris:

Your letter of June 15, 1994, along with the attendant Notice of Foreclosure, is acknowledged as timely received pursuant to T.C.A. §67-1-1433(b) and T.C.A. §50-7-404 for purposes of foreclosure. However, it appears that as a result of the recording date of Lien No. 0-2087 (recorded December 12, 1990) and No. 1-1401 (recorded August 9, 1991), the TDES's Liens are prior to the referenced instrument being foreclosed upon. Accordingly, the TDES will retain its Liens on the property without payment of the amounts of its Liens.

At present, the amount of the TDES's Liens for delinquent taxes, penalties, and interest amounts to $3,194.40. Should further questions regarding this matter arise, please contact me at (615) 741-3170.

Sincerely,

Michael D. Fort
Counsel to Commissioner

MDF:EME

cc: Eugene Johns, Central Office

98919
IDENTIF. & REFERENCE
MAIL ENV.
94 OCT 12 AM 9:01
FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

7099 10/12 0101 03CHECK 32.00

EXHIBIT "D"