BOOK 9571 PG 520

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PICK-UP

95 JAN 13 PM 4:10

This instrument prepared by:

Gregory D. Smith
WILLIS & KNIGHT
215 Second Avenue North
Nashville, Tennessee 37201

TRUSTEE'S DEED

This Deed is executed to be effective as of the 13th day of January, 1995, from Gregory D. Smith as grantor, in his capacity as substitute trustee, to AEDC Federal Credit Union as grantee.

WITNESSETH:

WHEREAS, on October 24, 1988, John E. Smiley and wife, Bettina L. Smiley, executed a Deed of Trust (the "Deed of Trust") to Ray H. Bass, Trustee, to secure the prompt payment of certain indebtedness payable to Auto Glass Employees Federal Credit Union, now known as AEDC Federal Credit Union ("Beneficiary"), which indebtedness is evidenced in part by a promissory note (the "Note") as is more particularly described in the Deed of Trust, to Ray H. Bass, as Trustee, recorded in Book 7688, Page 264, and rerecorded in Book 7703, Page 92 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default was made in the payment of the Note and the performance of the covenants made in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Beneficiary, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment in satisfaction of the indebtedness, including principal, interest, attorney's fees and costs of sale, I, Gregory D. Smith, as Substitute Trustee did on January 5, 1995, commencing at 12:00 o'clock p.m. pursuant to advertisement published in **The Nashville Record**, in the editions of December 15, 1994, December 22, 1994 and December 29, 1994, offer for sale and sold at public outcry to the highest and best bidder for cash, in bar of all equities of redemption, statutory redemption, dower and homestead, the hereinafter described real

estate, at which such sale AEDC Federal Credit Union became the highest and best bidder at and for the sum of Ten Thousand Dollars ($10,000.00); and

WHEREAS, the proceeds of such sale have been applied in payment of the advertising charge of $249.00, attorney's fees, and all other costs of sale, and the balance applied as a payment or credit on the Note thereby secured;

NOW, THEREFORE, I, Gregory D. Smith, Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby sell, transfer and convey unto AEDC Federal Credit Union as grantee the following described real estate having an address of Rt. 3, Baker Station Road, Goodlettsville, TN 37072:

> In the 10th Civil District, commencing at an iron pin of East side (or in middle of) Baker Station Road; thence North 3 degrees 00' E 300.0' to a point thence N 4 degrees 12 W 212.3' to a point; thence N 89 degrees 02' E 93.2' to a point; thence N 20 degrees 00' E 157.0' to an iron pin; thence N 75 degrees 00' E 392.0' to an iron pin; thence S 87 degrees 00' E 140.0' to an iron pin; then S 3 degrees 00' W 788.36' to an iron pin; thence N 87 degrees 00' W 625.0' to an iron pin which is the beginning in containing 10.01 acres more or less according to a survey by Clay V. Absher, R.L.S. in October 1988.
>
> Being the same property conveyed to John E. Smiley and wife, Bettina L. Smiley, by deed from Ethel May Adamson, unmarried, of record in Book 7688, page 259, Register's Office for Davidson County, Tennessee.

The sale was advertised and made as trustee only, without covenants or warranties of title, express or implies, subject to any governmental zoning or subdivision ordinances and further subject to any unpaid taxes or assessments owing on the property and this conveyance is so made. However, grantor, as Substitute Trustee, but not otherwise, hereby assigns and sets over to grantee all of the covenants and warranties contained in the Deed of Trust and in any prior deeds referred to in said Deed of Trust.

IN WITNESS WHEREOF, I, Gregory D. Smith, substitute trustee, have executed this instrument to be effective this 13th day of January, 1995.

Gregory D. Smith

ACKNOWLEDGEMENT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Patricia D. Earhardt, a notary public for the State and County aforesaid, personally appeared Gregory D. Smith, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal this 13th day of January, 1995.

Patricia D. Earhardt
NOTARY PUBLIC

PATRICIA D. EARHARDT NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: Jan. 24, 1998

I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for the transfer is $10,000.00.

AFFIANT/Substitute Trustee

Subscribed and sworn to before me this 13th day of January, 1995

Patricia D. Earhardt
NOTARY PUBLIC

PATRICIA D. EARHARDT NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: Jan 24, 1998

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