BOOK 9591 PG 395

This Instrument Prepared By:
John C. Hess
JOHN C. HESS, P.C.
Suite 101, Gallatin Building
278 Franklin Road
Brentwood, TN 37027
(615) 371-0302

| Address new Owner | Send Tax Bills to | Map No., Parcel No. |
|---|---|---|
| Michael R. Porter<br>1021 Russell Street<br>Nashville, TN 37206 | Same. | Map 83-9<br>Parcel 227<br>Map 83-9<br>Parcel 228 |

SUBSTITUTE TRUSTEE'S DEED

Whereas, by Deed of Trust dated December 6, 1993, of record in Book 9183, page 58, Register's Office for Davidson County, Tennessee, Nashville Funeral Home, Inc. now known as Affiliated Funeral Services, Inc., conveyed certain real property therein described to Bob Herrman, Trustee, to secure the indebtedness described in said Deed of Trust; and

Whereas, by instrument dated August 30, 1994, John C. Hess, was appointed Substitute Trustee to serve in the place and stead of Bob Herrman, pursuant to the aforementioned Deed of Trust, said Appointment of Substitute Trustee being recorded in Book 9591, Page 394, Register's Office for Davidson County, Tennessee; and

Whereas, the indebtedness described in said Deed of Trust was not paid in accordance with its terms, and default in the payment thereof was declared; and

Whereas, at the request of the lawful owner and holder of the indebtedness secured by said Deed of Trust, the Substitute Trustee gave notice of the time and place of sale, all in accordance with said Deed of Trust, by publishing an advertisement for three consecutive weeks in The Nashville Record a newspaper published in Davidson County, Tennessee, said notice being first published on January 12, 1995, and thereafter on January 19, 1995, and January 26, 1995, which notice of sale of the property hereinafter described for February 8, 1995 at 12:00 noon; and

Whereas, on February 8, 1995 at 12:01 P.M., at the South door of the Davidson County Courthouse in Nashville, Davidson County, Tennessee, being the time and place fixed in said notice, the hereinafter described property was offered for sale at public outcry, cash in hand and in bar of all equities of redemption and all other rights and exemptions of every kind of the Grantors of said Deed of Trust, as provided therein, subject only to liens, encumbrances and other matters which are prior in right to the lien of the aforesaid Deed of Trust and the Substitute Trustee having received a bid of One hundred Fifty Thousand Sixty-One and 38/100 Dollars ($150,061.38), from an agent of the lawful owner and holder of the indebtedness described in the said Deed of Trust, which bid was the last, highest and best bid and payment thereof by reason of a credit upon the indebtedness described in said Deed of Trust having been received, the receipt of all of which is hereby acknowledged;

Now, Therefore, in consideration of the premises and of the sum bid and paid as herein provided, John C. Hess, Substitute Trustee, does hereby bargain, sell, transfer and convey unto Michael R. Porter, its successors and assigns, all of that certain real property in Davidson County, Tennessee, described as follows:

Tract I:

Being Lot No. 210 on the Plan of East Edgefield of record in Book 21, page 147, Register's Office for said County.

Said Lot No. 210 fronts 50 feet on the westerly side of 11th Street, formerly Smith Avenue, and runs back between parallel lines 171 feet on the northerly line and 172.8 feet on the southerly line to an alley in the rear.

Being the same property conveyed to Nashville Funeral Home, Inc. by Quitclaim deed from Michael R. Porter d/b/a Nashville

Funeral Home of record in Book 9183, page 53, Register's Office for Davidson County, Tennessee.

Tract II:

Land in Davidson County, Tennessee, being Lot No. 209 on the Plan of East Edgefield of record in Book 21, Page 147, Register's Office for said County, to which reference is made for a more complete description.

Being the same property conveyed to Nashville Funeral Home, Inc. by Quitclaim deed from Michael R. Porter d/b/a Nashville Funeral Home of record in Book 9183, page 53, Register's Office for Davidson County, Tennessee.

This is improved property: Tract I is located at 120 South 11th Street, Nashville, Tennessee and Tract II is located at 1021 Russell Street, Nashville, Tennessee 37206.

TO HAVE AND TO HOLD said real estate, together with all rights, hereditaments, easements, appurtenances, and improvements thereunto belonging, in fee simple, forever, free from all rights or exemptions of the Grantor of said Deed of Trust, subject only to liens, easements, encumbrances and other matters which are prior in right to the lien of the aforesaid Deed of Trust.

John C. Hess, as Trustee, does hereby transfer, assign and set over unto said Michael R. Porter, its successors and assigns, all of the covenants and warranties contained in said Deed of Trust, subject only to the matters herein expressly reserved, and I do hereby warrant the title as fully as I am able to do as Trustee, but no further or otherwise.

Witness my hand as Substitute Trustee on this 8th day of February, 1995.

John C. Hess, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned a Notary Public in and for the State and County aforesaid, personally appeared John C. Hess with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal at Nashville, Tennessee this 8th day of February, 1995.

NOTARY PUBLIC
My Commission Expires: 3/7/1998

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer of value of the property (whichever is greater) is $150,061.38. This is equal to or greater than the property would bring at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me this 8th day of February, 1995.

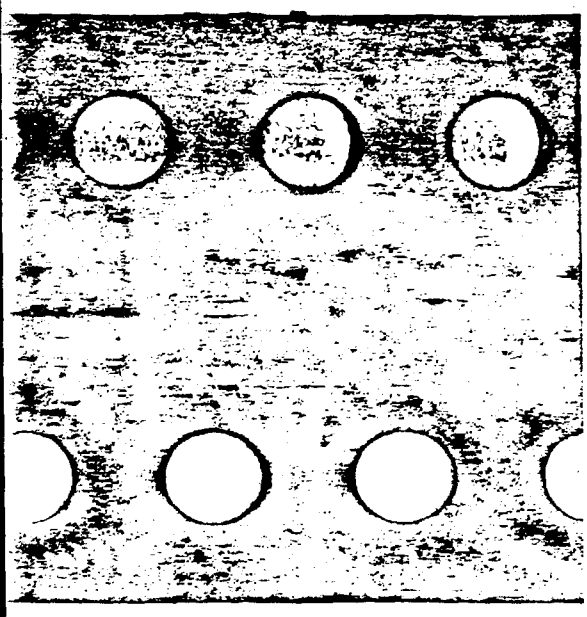
NOTARY PUBLIC
My Commission Expires: 3/7/1998

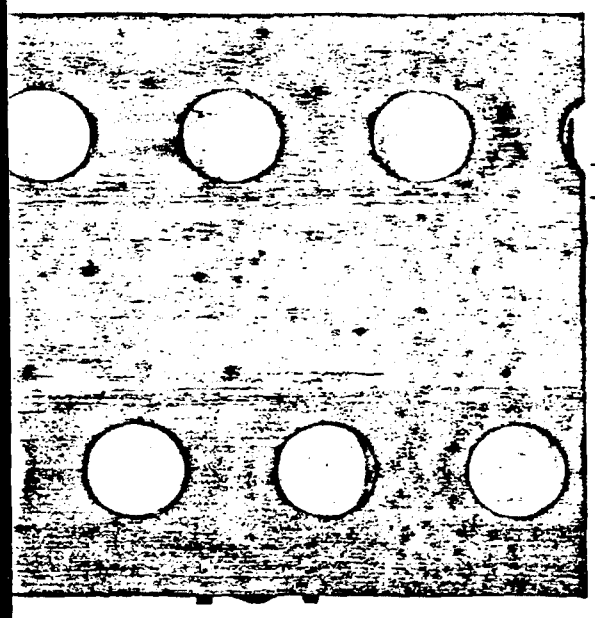
95 FEB -8 PM 3:21
FELIX [illegible] REGISTER
DAVIDSON COUNTY, TN

PICK-UP

02:1 02/08 0101 03CHECK 564.23

32775
IDENTIF. ↑ REFERENCE





**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

**RECEIVED OF** _____

**FOR** _____

BOOK 9591 PG 397

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|

DAMT
150061.38
CON TX 555.23
PRFEE 1.00
TDEED 8.00
TOTAL 564.23
CHECK 564.23
02/03/95 01 15:22 0001 0211

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

VOID
TDEED 8.00
WDEED 8.00
TOTAL 0.00
CHECK 0.00
02/06/95 01 15:23 0001 0212
0212 02/06 0101 03CHECK 0.00

32775
IDENTIF. & REFERENCE

95 FEB -8 PM 3:21

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN.

**No.** 879943