0161320

IDENTIF. & REFERENCE

This Instrument Prepared By:
Arthur K. Lowen
Attorney at Law
201 4th Avenue North, Ste. ~~1100~~ 1830
Nashville, Tennessee 37219

96 MAR 19 AM 8:47

FELIX J. DAVIDSON COUNTY REGISTER
DAVIDSON COUNTY, TN.

FROM: ARTHUR K. LOWEN, SUCCESSOR TRUSTEE

TO: Mark S. Alspaugh and
New Owner Randolph B. Duffy
117 Matthew Lane
Nashville, Tn 37215

Map No. 133-15A
Parcel No. 66CO

BOOK 9982 PG 672

Send Tax Bills To: New Owner

SUCCESSOR TRUSTEE'S DEED

WHEREAS, by Master Deed establishing Pagoda Condominium, of record in Book 6111, Page 22, Register's Office for Davidson County, Tennessee, and the By-Laws appended thereto, Pagoda Associates submitted and subjected all of the land and condominium units described therein to all of the provisions, covenants, conditions and restrictions set forth in said Master Deed and By-laws, and

WHEREAS, Pagoda Condominium Association, Inc., is the duly created Association and governing body for the owners of all of the units subjected to said Master Deed and By-laws, and

WHEREAS, the said Master Deed created a lien in favor of Pagoda Condominium Association, Inc., for assessments for common expenses duly levied against the units subjected to said Master Deed and By-laws, and

WHEREAS, for the limited purpose of enforcement of said lien, all of the property subjected to the said Master Deed was transferred and conveyed unto Stephen C. Baker, Trustee, his successors and assigns, reserving a Power of Substitution exercisable by the owner and holder of the above described lien (i.e. Pagoda Condominium Association, Inc.), all as set forth in the said Master Deed, and

WHEREAS, the undersigned, Arthur K. Lowen, was duly appointed Successor Trustee in an instrument of record in Book 9922, Page 495, Register's Office for Davidson County, Tennessee, and

WHEREAS, there occurred a default with respect to the obligation to pay assessments for common expenses with regard to a certain unit subject to the said Master Deed and lien, and described hereinbelow, and,

WHEREAS, Pagoda Condominium Association, Inc., the owner and holder of the said lien, demanded payment of the delinquent assessments as to the said unit, and payment was not made, and the said Pagoda Condominium Association, Inc., directed that said property be sold pursuant to the provisions of the Master Deed, and,

WHEREAS, in pursuance of said directive by said lien holder, the said condominium unit was, by the undersigned, advertised for sale as required by law and in conformity with the terms and provisions of said Master Deed, by three (3) successive weekly publications appearing in the Nashville Record, a newspaper published and

circulated in Davidson County, Tennessee, the first such publication having appeared at least twenty (20) days previous to the sale. Pursuant to the said advertisement, the sale was held on the date and at the time and place advertised, to wit: 11:00 AM on March 14, 1996 at the front door of the courthouse in Nashville, Davidson County, Tennessee, the said condominium unit being then and there offered for sale to the highest bidder for cash, at public outcry.

The GRANTEES herein, Mark S. Alspaugh and Randolph B. Duffy (as joint tenants without the right of survivorship), being the highest and best bidder at said sale with a bid of One Thousand five hundred three and 00/100 ($1,503.00) dollars, were duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and in further consideration of One Thousand, five hundred three and 00/100 ($1,503.00) dollars, paid by the GRANTEES, the receipt of which is hereby acknowledged, I, Arthur K. Lowen, Successor Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto the GRANTEES, Mark S. Alspaugh and Randolph B. Duffy (as joint tenants without the right of survivorship), their heirs, successors and assigns, the following property in Davidson County, Tennessee, to-wit:

> Land in Davidson County, Tennessee, being Unit L-2 of Pagoda Condominium, created under Title 66, Chapter 27, §101 et.seq. as amended, Tennessee Code Annotated, as established by a Master Deed, of record in Book 6111, Page 22, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the common elements appurtenant to said unit as set forth in Exhibit "A-1" of said Master Deed. Reference is hereby made to the Plat of Pagoda Condominium, as set forth in Exhibit "A-2" of said Master Deed, for a more complete identification and description of such unit.
>
> Being the same property conveyed to Glenda Kay Whisenant by Deed of Record in Book 8752, Page 734, Register's Office for Davidson County, Tennessee.
>
> This is improved property commonly known as 320 Welch Road, Unit L-2, Nashville, Tennessee 37211.
>
> The foregoing description is the same as that contained in the previous Deed of Record with respect to this property, no boundary survey having been made in connection with this conveyance.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Mark S. Alspaugh and Randolph B. Duffy (as joint tenants without the right of survivorship), their heirs, successors and assigns, forever, as fully and completely as the Successor Trustee can or ought to convey under the power vested in the Successor Trustee under the said Master Deed. However, the GRANTOR conveys as Successor Trustee only, and not further or otherwise.

This conveyance is made subject to all matters shown on any applicable recorded plan; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any previous owner and/or any governmental agency, State or Federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and subject to any matter that an accurate survey of the premises might disclose. This conveyance is expressly subject to the Master Deed and By-laws as set forth hereinabove.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arthur K. Lowen, Successor Trustee, has hereunto set his hand and seal on this 14th day of March, 1996.

Arthur K. Lowen
Successor Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Arthur K. Lowen, Successor Trustee, the Bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 14th day of March, 1996.

Notary Public

My Commission Expires: 1/29/2000.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer, is Sixteen thousand, five hundred three and 00/100 ($16,503.00) dollars.

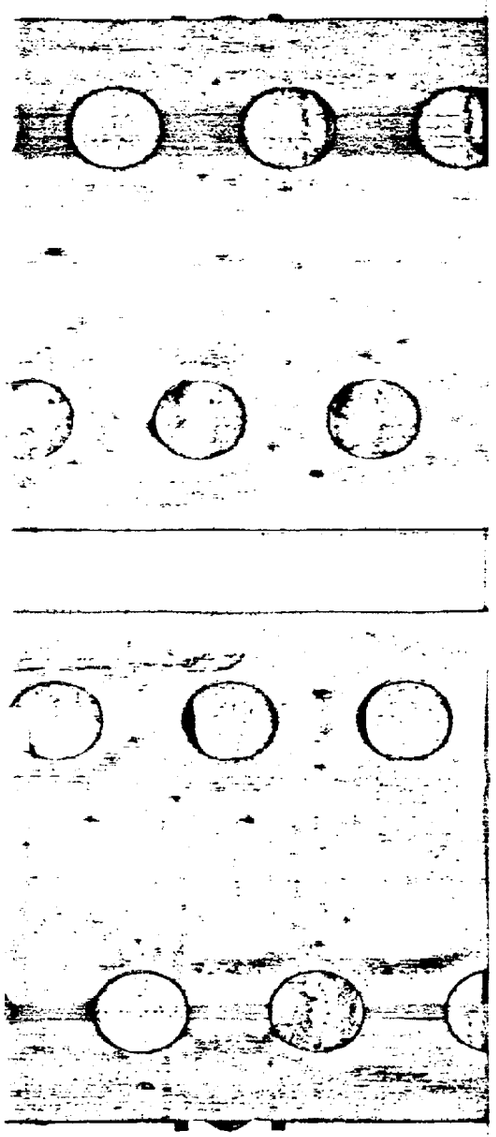
Affiant

Sworn to and subscribed before me this 14th day of March, 1996.

Notary Public

My Commission Expires: 1/29/2000.

9753 03/19 0101 03CHECK 74.05



OFFICIAL RECEIPT
FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 9982 PG 675

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 16503.00
CON TX 61.05
PRFEE 1.00
WDEED 12.00
TOTAL 74.05
CHECK 74.05

~~07/12/96 01 08:52 0001 9753~~

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0161320
IDENTIF. # REFERENCE

96 MAR 19 AM 8:47
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

No. 1017806