BOX 52

BOOK 10228 PG 633

Address New Owner:
Charles A. Parham
Amy A. Parham
4605 Raccoon Trail
Hermitage, TN 37076

Send Tax Bills to
SunTrust Bank Nashville
P.O. Box 305110/7th Flr
Nashville, TN 37230-5110

Tax Map & Parcel No.
MAP 87
Group 2
Parcel 36

THIS INSTRUMENT WAS PREPARED BY:
PAUL E. JENNINGS LAW OFFICES, P.C.
303 Church Street, Suite 101
Nashville, Tennessee 37201

96 OCT 17 PM 2:27
FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

0237185
IDENTIF. & REFERENCE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|---|---|---|
| IN RE: | ) | |
| | ) | |
| TOMMY LIVELY POGUE, Debtor | ) | Bk. No. 94-08358-KL3-7 |
| | ) | |
| IN RE: | ) | |
| | ) | |
| KENNETH NOEL POGUE, Debtor | ) | Bk. No. 94-08359-KL3-7 |

**BANKRUPTCY TRUSTEE'S DEED**

In consideration of the payment of $139,500.00, receipt of which is hereby acknowledged, the undersigned in his capacity as Trustee in Bankruptcy in these two separate cases, hereby sells, transfers and conveys unto Charles A. Parham and wife, Amy A. Parham, their successors and assigns, to have and to hold forever, the interests of these estates in that certain parcel of real estate known as 4605 Raccoon Trail, Hermitage, Tennessee 37076, and more specifically described as follows, subject to the qualifications set forth in the last paragraph of this Deed:

> Land in Davidson County, Tennessee, being Lot 45 on the Plan of New Hope Meadows, Phase 1, Revised of record in Plat Book 6900, page 653, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description.

BOOK 10228 PG 634

Being the same property conveyed to Marsha J. Glassmeyer, now being Marsha Glassmeyer Greenstein, by deed from Centex Real Estate Corporation, dated June 23, 1990, recorded July 9, 1992 in Book 8149, page 568, Register's Office for Davidson County, Tennessee, Gary Greenstein in this conveyance to convey any and all right, title or interest, martial or otherwise.

Being the same property conveyed to Kenneth N. Pogue and wife, Tommy L. Pogue, dated August 21, 1992 in Book 8708, page 550, Register's Office for Davidson County, Tennessee.

The interests being sold are the property of the bankruptcy estates of Tommy Lively Pogue, Bankruptcy Case number 94-08358-KL3-7 and Kenneth Noel Pogue, Bankruptcy Case number 94-08359-KL3-7, United States Bankruptcy Court for the Middle District of Tennessee. The undersigned is the duly appointed trustee for said bankruptcy estates, and has the right and duty under Title 11, United States Code, to make this conveyance. This conveyance is made pursuant to 11 U.S.C. Section 363 and is free and clear of the liens and other interests of all parties receiving notice of this proposed sale. The undersigned makes this conveyance in his capacity as trustee in bankruptcy as aforesaid and in no other capacity.

William Lamar Newport, Trustee in Bankruptcy
for the Estates of Kenneth Noel Pogue case #94-08359-KL3-7
and Tommy Lively Pogue case #94-08358-KL3-7

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 William Lamar Newport, Trustee, the bargainor, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 15th day of October, 1996.

Notary Public
My Commission expires: 12/6/99

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

BOOK 10228 PG 635

The actual consideration or value, whichever is greater, for this transfer is

$ 139,500.00

Amy S. Parham

Sworn to and subscribed before me
this 16th day of October, 1996

Notary Public

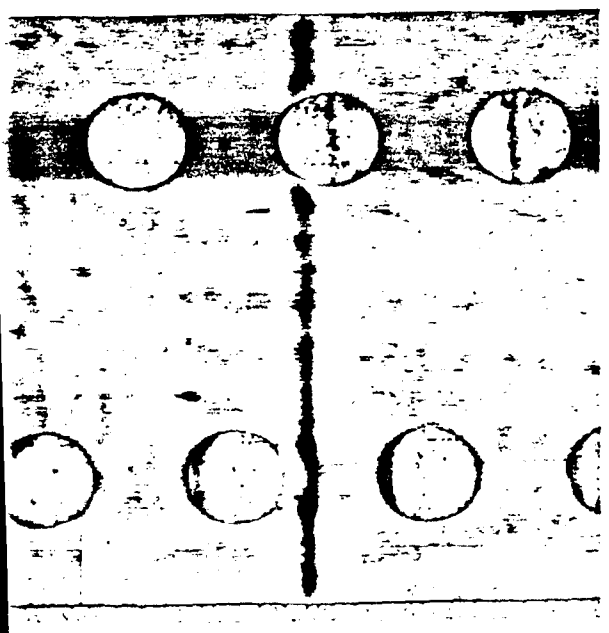
1150 10/17 0101 03CHECK 529.15

My Commission Expires:

12/6/99

SEE ATTACHED EXHIBITS:

1. Notice Under Section 363(b) of Trustee's Intent to Sell Property outside the ordinary course of Busines, and Notice Pursuant to Local Rule 1.4
2. Trustee's Motion to Shorten Notice and Objection Period On Sale of Property Pursuant to 11 U.S.C. Sec 363
3. Order Shortening Notice
4. Order Allowing Sale of Property of The Estate
5. Certified copy Court Docket for Tommy Lively Pogue and Kenneth Noel Pogue



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

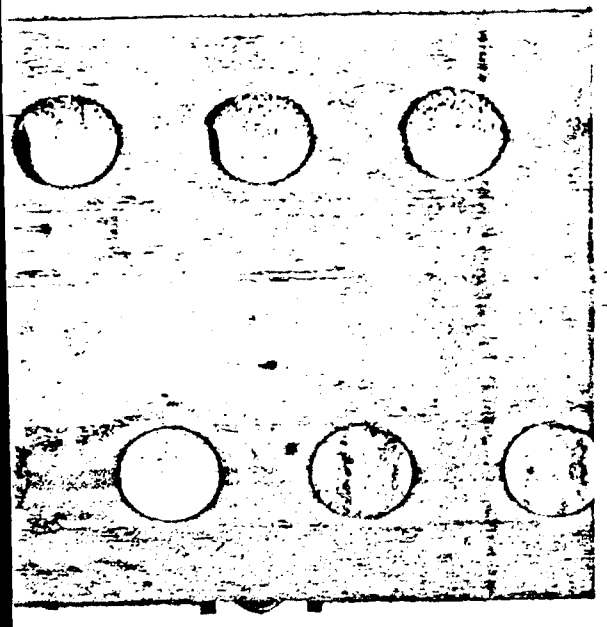
RECEIVED OF _____

FOR _____

10x10228Pg636

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| | | | CAM: | |
| | | | | 139500.00 |
| | | | CON TX | 516.15 |
| | | | PRFEE | 1.00 |
| | | | WDEED | 12.00 |
| | | | TOTAL | 529.15 |
| | | | CHECK | 529.15 |
| 10/17/96 | 01 | 14:30 | 0001 | 1150 |



RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0237185
IDENTIF. ↑ REFERENCE

96 OCT 17 PM 2:27
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

№ 1078169

No. [redacted]

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|---|---|---|
| IN RE: | ) | |
| | ) | |
| TOMMY LIVELY POGUE, | ) | Case No. 94-08358-KL3-7 |
| | ) | Chapter 7 (Converted Joint 13) |
| Debtor. | ) | Judge Keith M. Lundin |
| | ) | |
| *and* | ) | (Separate, Deconsolidated Cases) |
| | ) | |
| KENNETH NOEL POGUE, | ) | Case No. 94-08359-KL3-7 |
| | ) | Chapter 7 (Converted Joint 13) |
| Debtor. | ) | Judge Keith M. Lundin |

BOOK 10228 PG 637

**NOTICE UNDER SECTION 363(b) OF TRUSTEE'S INTENT TO SELL PROPERTY OUTSIDE THE ORDINARY COURSE OF BUSINESS, AND NOTICE PURSUANT TO LOCAL RULE 1.4**

The Trustee, William Lamar Newport, by and through undersigned counsel, hereby gives Notice of his intent to sell certain property of the estate, by real estate sale contract, the net proceeds of which sale, after appropriate real estate agents' commissions pursuant to Local Rule 3.41 and appropriate closing expenses, will be utilized for the benefit of the creditors of the estate.

The property to be sold is located at 4605 Raccoon Trail, Hermitage, Davidson County, Tennessee 37076. A copy of the sales contract is attached hereto as Exhibit A.

The Trustee states as follows:

1. On December 7, 1994 Debtors filed their voluntary petition under Chapter 13 of the Bankruptcy Code. On July 15, 1996 the cases were converted to cases in Chapter 7.

2. William Lamar Newport was appointed Trustee on July 18, 1996.

UNITED STATES BANKRUPTCY COURT ★ SEAL

Attest:
A True Copy
Certified this 10-2 96
U.S. Bankruptcy Court
By _____ Deputy Clerk

3. The subject property referenced above is property of the estate that formerly was Debtors' residence (they are now separated pending a domestic relations matter), the sale of which will satisfy the first and second mortgages, and after the expenses of sale and closing will leave equity for the benefit of creditors of the estate. The contract sales price is $139,500, less first mortgage[1] payoff value of $74,057.91, less lien(s) filed against the property that is secured and perfected, if any, less homestead exemptions of $7,500.00, plus daily accrual of interest until closing, less 6% sales commission of $8,370.00 and, therefore, will generate approximately $49,000, less accrual of per diem interest, to the estate's creditors, less expenses of the sale.

5. It is the Trustee's position that the proposed sale is in the best interest of the estate.

6. Accordingly, unless an objection to the proposed sale is filed and served upon the Clerk, the United States Trustee and undersigned counsel within ten (10) days[2] of the date of service of this Notice the Trustee will close the sale on or before September 25, 1996.

7. The Notice of Sale and sale are pursuant to 11 U.S.C. § 363(b), Bankruptcy Rule 2002(a)(2), (c)(1), and Local Rule 1.4.

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[1] The first mortgage held by Tennessee Teachers Credit Union is evidenced by a lien of deed of trust of record in Davidson County Register's Office, Book 8708, page 553-555, with a legal property description stated thereon.

[2] Contemporaneously filed herewith is an Order Shortening Time, within which to file an objection to the proposed sale, to 10 days.

8. Any objection to the sale is governed by Bankruptcy Rules 9014 and 6004(b).

NOTICE IS HEREBY GIVEN THAT A HEARING WILL BE HELD ON THIS NOTICE ONLY IF A WRITTEN OBJECTION IS FILED THERETO SETTING OUT REASONS THEREFOR WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS NOTICE. OBJECTIONS MUST BE FILED WITH THE COURT AND A COPY SERVED ON THE UNDERSIGNED COUNSEL AND THE U.S. TRUSTEE. IN THE ABSENCE OF A TIMELY WRITTEN OBJECTION, UNDERSIGNED COUNSEL WILL SUBMIT AN ORDER WHERE REQUIRED GRANTING THE REQUESTED RELIEF PURSUANT TO LOCAL RULE 1.4.

Respectfully submitted,

Paul E. Jennings
Jennings & Ramer, P.C.
303 Church Street, Suite 101
Nashville, TN 37201
(615) 726-1027

Attorneys for William Lamar Newport, Trustee for Tommy Lively Pogue and Kenneth Noel Pogue

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice Under Section 363(b) of Intent to Sell Property Outside the Ordinary Course of Business, and Notice Pursuant to Local Rule 1.4 has been mailed, first class, postage prepaid to the United States Trustee for the Middle District of Tennessee, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203; Marilee M. McWilliams Esquire, 105 Hazel Path Mansion, Hendersonville, TN 37075; and all creditors and parties in interest on the matrices of record in both of the cases, this 18th day of September, 1996.

Paul E. Jennings