BOOK 10285 PG 903

This Instrument Prepared by:

Leitner, Williams
Dooley & Napolitan, PLLC
2300 First American Center
Nashville, Tennessee 37238-2300

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $ 116,122.48 (Tax Exempt).

AFFIANT

Subscribed and sworn to before me, this the 9th day of December, 1996.

NOTARY PUBLIC

GINA L. ZYLSTRA NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My commission expires:
My Commission Expires SEPT. 26, 1998

ADDRESS NEW OWNER:
Secretary of Housing and Urban Development
251 Cumberland Bend Drive
Suite 200
Nashville, TN 37228-1803

SEND TAX BILLS TO
Same

MAP-PARCEL NO.

PICK-UP

96 DEC 10 AM 8:52
FELIX A. ROSSELLO-GONZALEZ
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

02543 77

SUCCESSOR TRUSTEE'S DEED

THIS INDENTURE, made and entered into on this the 2nd day of December, 1996, by and between Elizabeth M. Wilson, Successor Trustee, hereinafter referred to as the "FIRST PARTY," and Secretary of Housing and Urban Development, its successor and assigns, hereinafter referred to as the "SECOND PARTY,"

WITNESSETH:

WHEREAS, on the **31st day of May, 1985, Richard D. Harris and wife, E. Ruthana Harris,** executed a deed of trust to **Stephen R. Josleyn,** Trustee, to secure the payment of a promissory note in the original principal amount of **$74,061.00** payable to the order of **City Mortgage Services, Inc. ("Lender")** (the "Note"), said Note being payable in monthly installments as set forth in said deed of trust, which is of record in **Book 6575, page 687** Register's Office of **Davidson** County, Tennessee, (the "Deed of Trust"), to which reference is hereby made; and

WHEREAS, Lender assigned the Deed of Trust to City Federal Savings and Loan Association, by assignment of record in Book 6579, page 440, said Register's Office, who then assigned the Deed of Trust to the Secretary of Housing and Urban Development, by assignment of record in Book 7111, page 294, said Register's Office; and,

WHEREAS, the trustee named in the Deed of Trust was unable to act as Trustee under said Deed of Trust and Elizabeth M. Wilson was appointed Successor Trustee by the owner and holder of said Note, which appointment is of record in **Book 10227, page 199,** in the Register's Office for **Davidson** County; and

WHEREAS, default was made in the payment of said Note and the holder thereof directed FIRST PARTY to advertise and sell said property in satisfaction of said indebtedness and the costs of foreclosure, in accordance with the terms and provisions of said Note and Deed of Trust; and,

WHEREAS, FIRST PARTY did advertise said property for sale in accordance with the terms and provisions of said Note and Deed of Trust, notices of the time and place of said sale being published in The Nashville Record on November 7, 14 and 21, 1996; and,

WHEREAS, FIRST PARTY appeared at the time and place stated and caused the said

property to be sold at the front door of the Courthouse in said County, Tennessee, on December 2, 1996; and,

WHEREAS, SECOND PARTY, being the highest and best bidder thereof, became the purchaser of said property at and for the sum of One Hundred Sixteen Thousand One Hundred Twenty Two & 48/100 Dollars ($116,122.48) paid or credited, the receipt thereof is hereby acknowledged.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, FIRST PARTY has this day bargained and sold and does by these presents transfer and convey unto SECOND PARTY, its successors and assigns, the following described real property, situated in Davidson County, Tennessee:

> Land in Davidson County, Tennessee, being Lot No. 245 on the Map of Tulip Grove Subdivision, Section 4, as of record in Book 4175, page 12, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 245 fronts 80 feet on the northeasterly margin of Albany Drive and extends back between two lines, 185.0 feet on the northwesterly line and 170.13 feet on the northeasterly line to a line in the rear, measuring 83.49 feet thereon.
>
> Being the same property conveyed to Richard D. Harris and wife, E. Ruthana Harris by deed of record in Book 6575, page 684, Register's Office for Davidson County, Tennessee.
>
> This property is known as **617 Albany Drive, Nashville, Davidson County, Tennessee**.

TO HAVE AND TO HOLD the aforesaid real estate unto the said SECOND PARTY, its successors and assigns, forever, and in bar of equity of redemption, homestead, dower and all other exemptions of every kind.

This conveyance is subject to any and all taxes that may be a lien against said property including delinquent real property taxes, the recorded plat, condominium documents and restrictions, restrictive covenants, easements and matters of record or other matters which may be superior to the Deed of Trust. Said conveyance is also subject to the right of redemption of the Internal Revenue Service of the United States of America, pursuant to the provisions of 26 U.S.C. §7425, by virtue of federal tax liens of record in **Book 8701, page 419 and Book 9131, page 95**, said Register's Office. Proper notice as required by 26 U.S.C. §7425 and/or by Tenn. Code Ann. §67-1-1433(b)(1) respectively has been timely given by certified mail, return receipt as provided for in 26 U.S.C. §7425 and/or Tenn. Code Ann. §67-1-1433(b)(1). Copies of the notice letters are attached hereto.

AND, Elizabeth M. Wilson, Successor Trustee, does further covenant and bind her successors and assigns to warrant and defend the title to said land only as to such title coming by, through or under her as trustee to the said SECOND PARTY, its successors and assigns, and not otherwise.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set her signature, this the day and date above written.

Elizabeth M. Wilson
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared Elizabeth M. Wilson, Successor Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who upon her oath acknowledged herself to be the person who executed this instrument for the purposes therein expressed. WITNESS my hand and seal this 4th day of December, 1996.

NOTARY PUBLIC

My Commission Expires SEPT. 26, 1998
My commission expires:_____

F:\HARRIS.DED

VIRGINIA L. ZYLSTRA
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

BOOK 10285 PG 915

LAW OFFICES

LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC

FOUNDED 1882

PAUL R. LEITNER
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CHARLES W. DOOLEY
GARY S. NAPOLITAN
WILLIAM E. GOOBOLD III
DAVID W. NOBLIT*
GREGORY M. LEITNER
JOHN B. CURTIS, JR.
JENNIFER LAWRENCE*†
KELLY J. PETERS*†
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J. FRANK THOMAS II
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ALAN B. EASTERLY
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*ALSO MEMBER GEORGIA BAR
†ALSO MEMBER ALABAMA BAR
‡ALSO MEMBER KENTUCKY BAR
†ALSO MEMBER FLORIDA BAR
‡ALSO MEMBER NORTH CAROLINA BAR

2300 FIRST AMERICAN CENTER
NASHVILLE, TENNESSEE 37238-2300
(615) 255-7722
FAX (615) 780-2210

PLEASE REPLY TO
NASHVILLE OFFICE

THIRD FLOOR-PIONEER BUILDING
CHATTANOOGA, TENNESSEE 37402-2621
(423) 265-0214
FAX (423) 266-5490
FAX (423) 267-6625

1130 FIRST AMERICAN CENTER
KNOXVILLE, TENNESSEE 37902
(423) 523-0404
FAX (423) 673-0260

100 NORTH MAIN BLDG., SUITE 3001
MEMPHIS, TENNESSEE 38103
(901) 527-0214
FAX (901) 527-8224

November 5, 1996

HAND DELIVERED

Internal Revenue Service
Attention: Special Procedures Section
801 Broadway MDP 148
Nashville, TN 37202

Re: Notice of Non-judicial Foreclosure Sale
FHA Case No: Richard Harris

Dear Sir or Madam:

This firm has been retained by the Secretary of Housing and Urban Development ("HUD"), to initiate foreclosure proceedings on certain real property located at **617 Albany Drive, Hermitage, TN**, which is subject to a Deed of Trust in favor of HUD of record in Book **6575**, page **687**, Register's Office for Davidson County, Tennessee.

This is to advise you that the property will be sold for cash to the highest bidder, at the front door of the Courthouse in Davidson County, Tennessee, at Ten Minutes after Ten O'clock **(10:10 AM)** on December 2, 1996. There are two federal tax liens against this property, serial no. 629213504, lien i.d. no. [redacted] of record in Book 8701, page 419, and Book 9131, page 95 said Register's Office. Enclosed are copies of the tax lien(s) and the foreclosure notice as it appears in the Nashville Record. A copy of the first page of the Deed of Trust being foreclosed is also enclosed herewith in order to provide a legal description of the property being sold.

The approximate expenses of the sale will include principal in the amount of $73,815.89, plus delinquent interest in the approximate amount of $29,604.07, additional interest, late charges, others costs and legal fees of the indebtedness held by HUD.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN
THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

A hudfo/irs ln

Please acknowledge receipt of this notice and advise if any further information is required. If you have any questions, please feel free to contact me at (615) 255-7722.

Very truly yours,

Elizabeth M. Wilson
For the Firm

EMW/

Received 11-5-96
JM Williams
IRS Walk-In Office

3977 12/10 0101 03CHECK 16.00

Internal Revenue Service

District
Director

Department of Treasury

P. O. Box 1107, MDP 148
Nashville, TN 37202

Person to Contact:
P. Jackson
Telephone Number:
(615) 736-2339
Refer Reply to:
[redacted]-3524
Date:
November 12, 1996

Elizabeth M. Wilson
Attorney at Law
2300 First American Center
Nashville, TN 37238-2300

Re: Notice of Nonjudicial Sale

Taxpayer: Richard Harris
Property: 617 Albany Drive, Hermitage, TN

BOOK 10285 PG 906

Dear Ms. Wilson:

This is to acknowledge receipt of your correspondence dated 11-05-96, regarding the above named taxpayer. Your notice is considered adequate for a nonjudicial sale under the provisions of Section 7425(c) of the Internal Revenue Code of 1986.

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown in the heading of this letter.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487 from your local office or this office. A payment may be required to secure a release.

We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to us. If the sale is cancelled, please provide a brief explanation as to the reason.

Thank you for your cooperation.

Sincerely,

Pat Bisson
Chief, Advisory Section

Enclosure