Aft. Recording Hold for - McGlasson, Jr

BOOK 10297 PG 68

*****NOTE to Register of Deeds for index assistance:**

Dallas K. Roberts and wife, Betty J. Roberts [grantor/debtor]
:
to
: John C. McLemore, Trustee in the Bankruptcy of Roberts
:
to
Edwin Rutherford, III, [grantee]

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $18,000.00.

Edwin K Rutherford III
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 19th DAY OF DECEMBER, 1996.

Mark A. Gaston, Jr.
NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-27-99

0257714
IDENTIF. & REFERENCE

96 DEC 20 AM 9:14
REGISTER OF DEEDS
DAVIDSON COUNTY, TN.

PICK-UP

THIS INSTRUMENT WAS PREPARED BY:

John C. McLemore, Garfinkle, McLemore & Walker, PLLC
P.O. Box 158249, Nashville, Tennessee 37215-8249

ADDRESS NEW OWNER(S) AS FOLLOWS:	SENT TAX BILL TO:	MAP-PARCEL NUM
Edwin Rutherford, III	owner at same	69-4-10
4767 Eatons Creek Rd.	address	13DA-50875
Nashville, TN 37218		

BANKRUPTCY TRUSTEE'S DEED

WHEREAS, upon the filing of a voluntary petition in bankruptcy September 12, 1996, in the United States Bankruptcy Court for the Middle District of Tennessee, same being Bankruptcy No. 96-08009-GP3-7, **Dallas K. Roberts, Sr. and Betty J. Roberts** did, by act of law, convey all right, title and interest in and to the following described real property to the Trustee in Bankruptcy; and

WHEREAS, the said Trustee in Bankruptcy, John C. McLemore, who was appointed Trustee of the above estate on September 18, 1996, by notice dated October 25, 1996, gave notice that the subject property would be sold at public auction free and clear of all liens unless

an objection and application for hearing was filed with the Court within twenty (20) days of the date of notice.

No objections to this sale were filed.

NOW, THEREFORE, for and in consideration of Eighteen Thousand and No/100 Dollars ($18,000.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, I, John C. McLemore, Trustee in bankruptcy, do hereby bargain and sell, and by these presents transfer and convey unto Edwin Rutherford, III, his successors and assigns, the following described real property, to-wit:

A parcel of real estate situated in Davidson County, Tennessee, and more particularly described as follows:

> Land in Davidson County, Tennessee, and being Lot No. 28 and the southerly portion of Lot No. 27, Block C.C., on the Revised Map of Fairview Subdivision as of record at Book 1130, page 54 and described more completely in the deed of record at Book 6262, page 255, both in the Register's Office for said County, and to which reference is hereby made and the same incorporated herein for a complete description of said lot and said part of said lot.
>
> Being all the same property conveyed to Dallas K. Roberts and wife, Betty J. Roberts, by deed at Book 6262, page 255, said Register's Office; and further being the same property conveyed by act of law to John C. McLemore, Trustee in Bankruptcy upon the filing of the Chapter 7 proceeding of Dallas K. Roberts, Sr. and wife, Betty J. Roberts, November 12, 1996, and the appointment of John C. McLemore as Trustee of the Estate (U.S. Bankruptcy Court for the Middle District of Tennessee, Nashville Division, Case No. 96-08009-GP3-7).

The undersigned, John C. McLemore, does hereby transfer and convey in his capacity as Trustee in Bankruptcy and no further or otherwise, all the right, title, interest and estate held by the said Dallas K. Roberts, Sr., and wife, Betty J. Roberts in and to the above-described real property on the date of their filing

voluntary petitions for bankruptcy in the United States Bankruptcy Court for the Middle District of Tennessee.

TO HAVE AND TO HOLD subject real property with the appurtenances, estate, title and interest thereto belonging to the said Edwin Rutherford, III, his successors and assigns forever, free and clear of all liens, but subject to the 1996 real estate taxes, which have been prorated of even date herewith.

WITNESS my hand on this 19th day of December, 1996.

John C. McLemore, Trustee in Bankruptcy

ACKNOWLEDGMENT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, John C. McLemore, Trustee in Bankruptcy, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument in the capacity and for the purpose therein contained.

Witness my hand and official seal at Nashville, Davidson County, Tennessee, on this the 19th day of December, 1996.

Christina Anne Currier
Notary Public

CHRISTINA ANNE CURRIER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 11/27/99

Exhibits attached to this deed:
1. **Trustee's Notice Of Proposed Sale Of Property** (2-pages)
2. **Certificate Of No Objection** (2-pages)

"Exhibit" To Warranty Deed
John C. McLemore, Trustee to Edwin Rutherford, III

BOOK 10297 PG 71

FILED
96 OCT 25 PM 3:36
BANKRUPTCY COURT
MIDDLE DISTRICT OF TN

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

IN RE:	)	
	)	
Dallas K. Roberts, Sr.	)	Case No. 96-08009-GP3-7
Betty J. Roberts	)	Chapter 7
	)	Judge George C. Paine, II
Debtor(s)	)	

TRUSTEE'S NOTICE OF PROPOSED SALE OF PROPERTY

Unless an objection and application for hearing is filed with the United States Bankruptcy Court Clerk, First Floor, Customs House, 701 Broadway, Nashville, Tennessee, 37203; and a copy served on the United States Trustee's Office, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203; and upon the Trustee within 20 days after the date of this notice, the Trustee shall sell the following property of the estate at public auction:

Property Description: House and lot at 4012 Cedar Circle, Nashville, Tennessee

Date & Time: November 14, 1996 at 11:00 a.m.

Place: On Site

Terms of Sale: 15% earnest money date of sale, balance at closing within 30 days on the real property. Cash for all personal property.

UNITED STATES BANKRUPTCY COURT SEAL

Attest: A True Copy
Certified this 12-17-96
U. S. Bankruptcy Court
By W. Tuesday

PROPERTY IS TO BE SOLD AS IS, WHERE IS, AND FREE AND CLEAR OF ANY LIENS. ANY VALID AND PROPER LIEN WILL ATTACH TO THE PROCEEDS OF THE SALE. TRUSTEE WILL CONVEY BY VALID BANKRUPTCY TRUSTEE'S DEED, OR APPROPRIATE INSTRUMENT, THE RIGHT, TITLE AND INTEREST THAT TRUSTEE HAS THE RIGHT TO CONVEY. PROCEEDS OF THE SALE WILL BE SUBJECT TO AUCTIONEER'S FEES AND EXPENSES, AGENT'S FEES AND EXPENSES, AND TRUSTEE'S FEES AND EXPENSES, IF ANY. ALL REAL ESTATE TAXES DUE WILL BE PAID FROM THE PROCEEDS OF THE SALE AT CLOSING. CURRENT YEARS TAXES WILL BE PRORATED TO DATE OF DEED. TRUSTEE WILL PAY EXEMPTIONS AND LIENHOLDERS AS FOLLOWS:

1st Lienholder: Boatmen's National Bank $7,998.15 as of October 31, 1996
with a per diem of $1.00 a day (approximate)

2nd Lienholder: TN Department of Employment Security $850.00 (approximate)
Tax Lien of record at Book 9953, Page 251 Register's Office of Davidson County

Debtor(s) Statutory Exemption: $7,500

13

DATED: this 25th day of October, 1996.

Respectfully submitted,

John C. McLemore, Trustee
2000 Richard Jones Road, Suite 250
P.O. Box 158249
Nashville, TN 37215-8249
(615) 383-9495

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice has been mailed to the Debtor, Debtor's attorney, the U.S. Trustee, 318 Customs House, 701 Broadway, Nashville, TN 37203, Grace Boughey, Bookkeeper, all creditors, and all parties requesting notice, as reflected on the mailing matrix attached to the original of this pleading on file with the Clerk of this Court on this 25th day of October, 1996.

John C. McLemore

"Exhibit" To Warranty Deed BOOK 10297 PG 73
John C. McLemore, Trustee to Edwin Rutherford, III

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

IN RE:	)	
	)	
Dallas K. Roberts, Sr.	)	Case No. 96-08009-GP3-7
Betty J. Roberts	)	Chapter 7
	)	Judge George C. Paine, II
Debtor(s)	)	

CERTIFICATE OF NO OBJECTION

On October 25, 1996, the Trustee gave notice to the Debtor, Debtor's counsel and all creditors, of his intention to sell the following property at public auction unless an objection was filed with the Court within 20 days of the date of the notice:

REAL PROPERTY

House and Lot at 4012 Cedar Circle, Nashville, Davidson County, Tennessee

---

The final date for objecting to the sale was November 13, 1996. The Trustee searched the records of the United States Bankruptcy Court Clerk's office on November 13, 1996 and found no objections to the sale.

Respectfully submitted,

John C. McLemore, Trustee
2000 Richard Jones Road, Suite 250
P.O. Box 158249
Nashville, TN 37215-8249
(615) 383-9495

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me, this 19th day of December, 1996.

Notary Public
My Commission Expires: 11/27/99

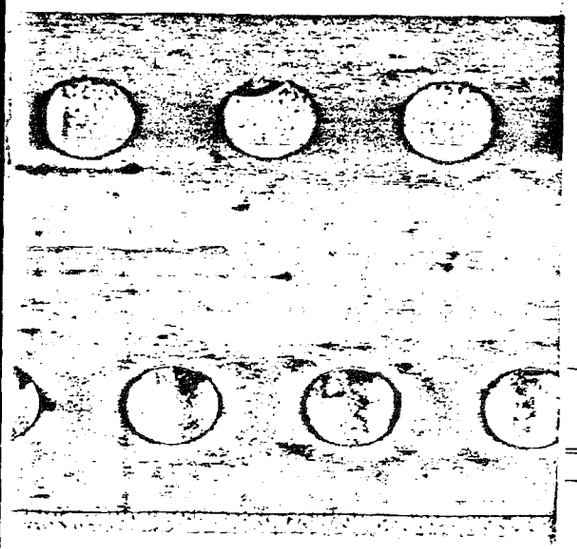
Docket for Case No. 96-08009-GP3-7

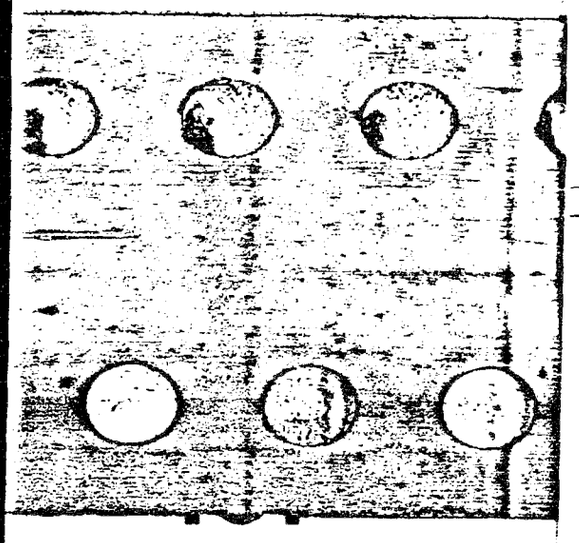
ROBERTS, DALLAS K, SR (printed 11/13/96 at 09:32)

Filing Date	No.	Entry
10/25/96	13	Trustee's NOTICE OF PROPOSED SALE OF PROPERTY-HOUSE & LOT 4012 CEDAR CIR W/20 DAY NOTICE [EOD 10/28/96] [JS]
10/29/96	14	ORDER APPROVING EMPLT OF M.GASTON JR, ATTY Re: Item # 11. (5 copies) [EOD 10/29/96] [WT]
10/29/96	15	APPLICATION To Employ An Auctioneer BILL COLSON REALTY & AUCTION [EOD 10/30/96] [JS]
11/05/96	16	ORDER authorizing Tr to employ Bill Colson Realty & Auction for the purpose of selling property at 4012 Cedar Circle, Nashville, TN Re: Item # 15. (5 copies) [EOD 11/05/96] [LC]
11/05/96	17	ORDER Amending petition to add unsecured creditors Re: Item # 8. (3 copies) [EOD 11/05/96] [LC]

DOCKET END

7789 12/20 0101 03CHECK 95.60





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

RECEIVED OF _____

FOR _____

BOOK 10297 PG 75

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 18000.00
				CON TX 66.60
				PRFEE 1.00
				WDEED 28.00
				TOTAL 95.60
				CHECK 95.60
		12/20/96	01	09:15 0001 7789

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0257714
IDENTIF. ↑ REFERENCE

96 DEC 20 AM 9:
REGISTER
DAVIDSON COUNTY, TN

No. 1100374