Box 43

TRUSTEE'S DEED

BOOK 10312 PG 557

This instrument prepared by:
Taylor, Philbin, Pigue, Marchetti & Bennett
One Union Street
Nashville, Tennessee 37201

| | | |
|---|---|---|
| Michael J. Philbin, Successor-Trustee | ) | |
| to | ) | Map #71-11 |
| | ) | Parcel #147 |
| | ) | Field Book #12DA 41720 |
| United Carolina Bank<br>4715 Market Street<br>Wilmington, North Carolina 28405<br>SEND TAX BILLS HERE<br>NO MORTGAGEE | ) | |

WHEREAS, Patricia A. Marable, unmarried, and James H. Walton, married, executed a deed of trust on the 19th day of October, 1989, which was recorded in Book 7967, Page 219, Register's Office of Davidson County, Tennessee, conveying to Phillip Stephen Freeman, Trustee(s), the property hereinafter described to secure the payment of a promissory note referred to in said deed of trust; and

WHEREAS, Michael J. Philbin was appointed Successor-Trustee, said appointment being recorded in Book 10262, Page 92, Register's Office of Davidson County, Tennessee; and

WHEREAS, default occurred in the performance of the terms of said Promissory Note and/or the Deed of Trust securing the same and the noteholder in accordance with the provisions therein declared the entire indebtedness due and payable and requested the Trustee, the GRANTOR herein, advertise and sell the property; and

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust, by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in The Nashville Record, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the advertisement, the sale was held at the time and place advertised, to-wit: January 6, 1997 at 10:00 A.M. at the front door of the courthouse in Nashville, Davidson County, Tennessee, at public outcry to the highest and best bidder for cash, in bar of all equities of redemption, the statutory right of redemption, homestead, dower and all other rights or exemptions of every kind, all of which were expressly waived in said Deed of Trust; and

WHEREAS the GRANTEE herein, United Carolina Bank, being the highest and best bidder at said sale with a bid of FIFTY THOUSAND SEVEN HUNDRED FIVE AND 98/100 DOLLARS ($50,705.98), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of FIFTY THOUSAND SEVEN HUNDRED FIVE AND 98/100 DOLLARS ($50,705.98), paid by United Carolina Bank, the receipt of which is hereby acknowledged, I, Michael J. Philbin, Successor-Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto United Carolina Bank, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

Being Lot No. 17 on the Plan of S. A. Buchanan Re-Subdivision of Lots 4, 5, 6, 12, 13, 18, 19, 24, 25, 30 and 31 of the Trinity Heights Addition, of record in Plat Book 547 at page 166, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Being the same property conveyed to Patricia A. Marable, unmarried and James H. Walton, married, by deed of record in Book 7967, Page 216, Register's Office for Davidson County, Tennessee.

This is improved property also known as 341 Pullen Avenue, Nashville, Tennessee 37207.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said United Carolina Bank, its successors and assigns forever as fully and completely as the Successor-Trustee can or ought to convey under the power vested in the Trustee in said Deed of Trust and his appointment as Successor-Trustee; and said Successor-Trustee, the Grantor herein, does hereby transfer and assign to United Carolina Bank, its successors and assigns all the warranties and covenants made in said Deed of Trust.

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 prior liens or encumbrances as well as any priority created by a fixture filing including but not limited to a UCC-1 financing statement filed by the Electric Power Board of the Metropolitan Government of Nashville and Davidson County of record in Book 8536, Page 88, Register's Office for Davidson County, Tennessee; and subject to any matter that an accurate survey of the premises might disclose.

Wherever 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 Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 6th day of January, 1997.

Michael J. R... Trustee

Michael J. Philbin,
Successor-Trustee

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

2578 01/06 0101 03CHECK 196.62

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael J. Philbin, 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 6th day of January, 1997.

Janice M. Cheng
NOTARY PUBLIC

JANICE M CHENG NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

My Commission Expires: May 28, 2000

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration of value, whichever is greater for this transfer is $50,705.98.

Michael J. R...
AFFIANT

WITNESS my hand and official seal at Nashville, Tennessee, this 6th day of January, 1997.

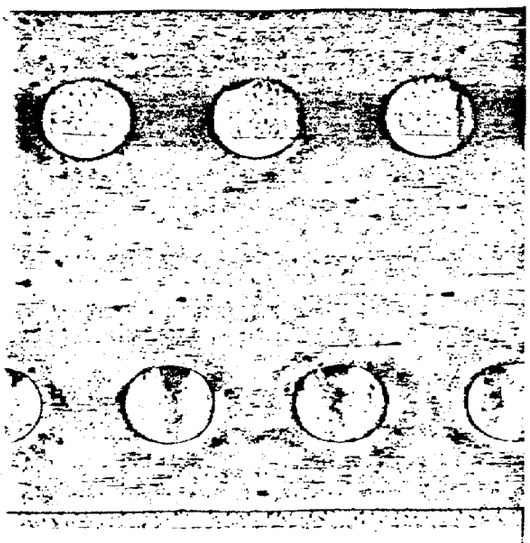
Janice M. Cheng
NOTARY PUBLIC

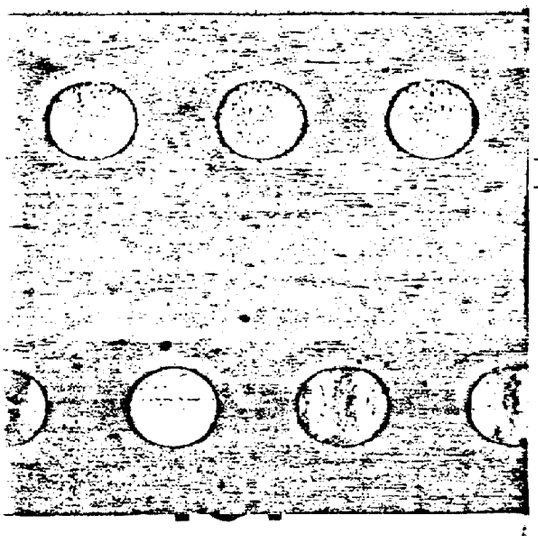
JANICE M CHENG NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

My Commission Expires: May 28, 2000

026205
IDENTIFICATION REFERENCE

97 JAN -6 PM 3:30
FELIX Z. [illegible]
DAVIDSON COUNTY, TN.





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

RECEIVED OF _____

FOR _____

10312-559

CO - CONVEYANCE
MO - MORTGAGE
WD - WARRANTY DEED
TD - TRUST DEED
CC - CERTIFIED COPY
REL - RELEASE
UCC - UNIFORM COMMERCIAL CODE
MISC - MISCELLANEOUS
CO TX - STATE TAX CONVEY
MO TX - STATE TAX MORT
PRFEE - PROBATE FEE

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | | |

CAMT 50705.98
CON TX 187.62
PRFEE 1.00
WDEED 8.00
TOTAL 196.62
CHECK 196.62

01/06/97 01 15:52 0001 2578

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0262045
IDENTIFICATION REFERENCE

97 JAN -6 PM 3:50
FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN.

**No.** 1105118