BOOK 10351 PG 777

This Instrument Prepared by:

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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 $ 91,208.58 (Tax Exempt).

AFFIANT

Subscribed and sworn to before me, this the 14th day of February, 1997.

NOTARY PUBLIC

My commission expires: 3-21-98

ADDRESS NEW OWNER:	SEND TAX BILLS TO	MAP-PARCEL NO.:
Secretary of Housing and Urban Development 251 Cumberland Bend Drive Suite 200 Nashville, TN 37228-1803	Same	82-8-352

SUCCESSOR TRUSTEE'S DEED

THIS INDENTURE, made and entered into on this the 14th day of February, 1997, 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 **1st day of August, 1989, Tommey Smith and wife, Mary E. Smith and Mary L. Gordon, unmarried,** executed a deed of trust to **Joshua Safeek**, Trustee, to secure the payment of a promissory note in the original principal amount of **$53,976.00** payable to the order of **Park Avenue Mortgage Company, 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 7905, page 920** 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 MLA, Inc. by assignment of record in Book 7911, page 176, said Register's Office, which assigned the Deed of Trust to Empire of America Realty Credit Corp. of record in Book 7998, page 424, said Register's Office, which assigned the Deed of Trust to the Secretary of Housing and Urban Development ("HUD") by assignment of record in Book 8346, page 843, 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 195**, 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 January 23 and 30 and February 6, 1997; 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 February 14, 1997; and,

WHEREAS, SECOND PARTY, being the highest and best bidder thereof, became the purchaser of said property at and for the sum of Ninety-One Thousand Two Hundred Eight & 58/100 Dollars ($91,208.58) 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. 4 on the Plan of House and Simonton's Subdivision of Lots Nos. 1 to 16 in Stratton and Seymour's Addition to Edgefield, now East Nashville, as of record in Book 57, page 137, Register's Office for said County.
>
> Being the same property conveyed to Tommey Smith and wife, Mary E. Smith and Mary L. Gordon by deed of record in Book 7905, page 917, said Register's Office.
>
> This property is known as **945 Mansfield, Nashville, Tennessee 37206**.

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.

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 14th day of February, 1997.

NOTARY PUBLIC

My commission expires: 3-21-98

CHUD SMITHGORDED

PICK-UP

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