BOOK 10412 PG 325

This Instrument Prepared by:

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

97 APR 10 AM 8:50
FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

0292993
IDENTIF. # REFERENCE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $ 105,456.30 (Tax Exempt).

AFFIANT

Subscribed and sworn to before me, this the 8th day of April, 1997.

NOTARY PUBLIC

My commission expires: 3-21-98

LYNDA K. DOWNING NOTARY PUBLIC AT LARGE

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
050-03-B-048.00CO

7850 04/10 0101 03CHECK 8-00

SUCCESSOR TRUSTEE'S DEED

THIS INDENTURE, made and entered into on this the 8th day of April, 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 **28th day of June, 1990, Rodney L. Horton and wife, Joyce S. Horton,** executed a deed of trust to **Jonathan J. Foley, Jr.**, Trustee, to secure the payment of a promissory note in the original principal amount of **$70,850.00** payable to the order of **American National Financial, 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 8145, page 385** 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 Banc Oklahoma Mortgage Corp., by assignment of record in Book 8156, page 187; who subsequently assigned the Deed of Trust to the Secretary of Housing and Urban Development, of record in Book 9273, page 58, 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 190,** 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 16, 23, and 30, 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 7th, 1997; 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 Five Thousand Four Hundred Fifty-Six & 30/100 Dollars ($105,456.30) 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. 48 on the Plan of Mulberry Downs, Phase 1, of record in Book 7900, pages 84 thru 88, Register's Office for said County.
>
> Said Lot No. 48 fronts 39.69 feet on the easterly margin of Strawberry Cove and extends back 105.00 feet on the northerly line and 104.66 feet on the southerly line to a dead line in the rear measuring 41.38 feet thereon.

This property is known as **1202 Strawberry Cove, 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, Restrictive Covenants of record in Book 8053, page 316, said Register's Office, the Plan of record in Book 7900, page 84, said Register's Office, 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 8th day of April, 1997.

NOTARY PUBLIC

My commission expires: 3-4-98

C:\HUD\HORTON.DED

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN