0326633

IDENT. & REFERENCE

PICK-UP

97 JUL 15 PM 1:48

DAVIDSON COUNTY REGISTER

BOOK 10530 PG 178

This Instrument Prepared By:
Nicholas W. Whittenburg
Miller & Martin
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

Name and Address of New Owner:	**Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:**	**Tax Map & Parcel No.:**
Robert N. Moore Jr. & Beverly A. Krebs 404 James Robertson Pky Suite 1615 Nashville TN 37219	Same	84-15-51

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 15th day of July, 1997 from **Nicholas W. Whittenburg** as Grantor, in his capacity as Substitute Trustee, to **Robert N. Moore, Jr. and Beverly A. Krebs**, as tenants in common, as Grantee.

W I T N E S E T H:

WHEREAS, on March 5, 1987, Michael William Warner and wife, Suzanne L. Warner executed a Deed of Trust (the "Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness held by and owing to AmSouth Bank, a corporation organized and existing under the laws of the United States of America ("Bank"), successor in interest to Metropolitan Federal Savings and Loan Association, said indebtedness being more particularly described in the Credit Line Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee in Book 7171, Page 35, to which reference is hereby made; and

WHEREAS, default was made in the payment of the aforesaid indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, pursuant to the terms of the Deed of Trust, Nicholas W. Whittenburg was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Book 10415, Page 205 in the Register's Office of Davidson County, Tennessee.

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Bank, being the owner and holder of the indebtedness

secured thereby, and for the purposes of effecting payment and satisfaction of the indebtedness, including principal, interest, late charges, attorneys' fees and costs of sale, I, Nicholas W. Whittenburg, as Substitute Trustee by and through my Agent, Alan D. Hall, did on July 15, 1997 commencing at 10:30 A.M. Central Standard Time pursuant to advertisement of sale published in the Nashville Record in its editions of June 19, 1997, June 26, 1997, and July 3, 1997, offer for sale and sold at public auction to the highest and best bidder for cash at the front door of the Davidson County Courthouse in the City of Nashville, Tennessee, in bar of the equities of redemption, statutory redemption, dower, homestead and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee became the highest and best bidder at and for the sum of Seventy-Four Thousand, Two Hundred and No/100 Dollars ($74,200.00)

NOW, THEREFORE, I, Nicholas W. Whittenburg, Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby quitclaim, transfer, and convey to the Grantee, its successors and assigns, all my interest in the following described real estate located in the City of Nashville, County of Davidson, State of Tennessee:

> Land in Davidson County, Tennessee, being Lot No. 25 on the Plan of Donelson Meadows, as of record in Book 1835, page 35, Register's Office for said County, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to Michael William Warner and wife, Suzanne Warner, by deed from Donald H. Huffine and wife, Faye Huffine, of record in Book 4635, page 611, Register's Office for Davidson County, Tennessee.
>
> The street address of the property is believed to be:
> 229 Dellrose Drive, Nashville, TN 37214

For source of grantors equitable interest in the property, reference is made to Book 7177, Page 35, Register's Office of Davidson County, Tennessee. The legal description is unchanged from prior deed of record.

The Substitute Trustee does hereby quitclaim, transfer, assign and set over unto Grantee all of his right, title and interest in the said property and not further or otherwise and subject to any governmental zoning or subdivision ordinances or regulations in effect thereon and further subject to any unpaid taxes or assessments owing on the property.

The land described herein is conveyed subject to the rights of the United States to redeem the land as provided in 26 U.S.C. § 7425(d)(1). Attached hereto are copies of the notice provided to the United States and responses thereto.

IN WITNESS WHEREOF, I, Nicholas W. Whittenburg, Substitute Trustee, have executed this instrument to be effective the date first above written.

Nicholas W. Whittenburg
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, Tanya D. English, Notary Public, Nicholas W. Whittenburg, with whom I am personally acquainted, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 15th day of July, 1997.

Tanya D English
Notary Public

My Commission Expires: June 9, 1999

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $ 74,200.00.

Nicholas W. Whittenburg

Sworn to and subscribed before me
this 15th day of July, 1997.

Tanya D English
Notary Public

My Commission Expires: June 9, 1999

Warner

FILE COPY

MILLER & MARTIN
ATTORNEYS AT LAW
SUITE 1000 VOLUNTEER BUILDING
832 GEORGIA AVENUE
CHATTANOOGA, TENNESSEE 37402-2289
423/756-6600
FAX 423/785-8480

NASHVILLE OFFICE:
SUITE 2325 SUNTRUST CENTER
424 CHURCH STREET
NASHVILLE, TENNESSEE 37219-2301
615/244-3119
FAX 615/244-1423

WRITER'S DIRECT DIAL NUMBER
423/785-8384

June 13, 1997

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and FIRST CLASS U.S. MAIL

BOOK 10530 PG 181

District Director of Internal Revenue
P.O. Box 1107
Nashville, TN 37202
Attention: Chief, Special Procedures Staff

Re: Notice of Federal Tax Lien

Dear Sir or Madame:

We represent AmSouth Bank of Tennessee. We are writing to advise you that, upon instructions from our client, we will commence foreclosure proceedings immediately on the property described in the attached Trustee's Sale notice. The foreclosure sale is scheduled for July 15, 1997 as described in the attached Trustee's Sale Notice.

Pursuant to 26 USC § 7425(c), with respect to notice of non-judicial sales of property subject to United States liens, we are submitting the following information:

1. NAME AND ADDRESS OF PERSON SUBMITTING NOTICE: Nicholas W. Whittenburg, Miller & Martin, 832 Georgia Avenue, 1000 Volunteer Building, Chattanooga, Tennessee, 37402.

2. NOTICE OF FEDERAL TAX LIEN: Copies of Notices of Federal Tax Liens, Form 668, of record in Book 7938, Page 539; Book 8778, Page 427; Book 8885, Page 173 and Book 9281, Page 556, in the Registers Office of Davidson County, Tennessee, are attached and contains the name of the Internal Revenue District, name of address of taxpayer, and date and place Notices of Liens were filed.

3. ADDRESS OF REAL PROPERTY, 229 Dell Rose Drive, Nashville, Tennessee 37214. The legal description of said property is contained in the Trustee's Sale notice enclosed herewith. An abstract of title is not available at this time.

4. SALE DATE, TIME, PLACE AND TERMS: The date, time, place and terms of the sale of the property are contained in the enclosed Trustee's Sale Notice.

5. DESCRIPTION OF DEBT AND SALE EXPENSES: As of June 2, 1997, the approximate amount of the principal obligation secured by the Deed of Trust being foreclosed upon, including interest is $53,956.80. The per diem rate of interest for every day after that date is 7.05. The foreclosure expenses including advertising expenses and legal expenses chargeable against the sale proceeds are estimated to be approximately $1,283.00.

Please acknowledge receipt of this notice on the enclosed copy of this letter and return it to my attention in the enclosed envelope. If you require additional information with respect to this matter, please feel free to contact me.

Sincerely,

Nicholas W. Whittenburg

Nicholas W. Whittenburg

NWW/sg
Enclosures
cc: Dari Guthrie
Alan Hall, Esquire

Acknowledged receipt of the foregoing notice:

_____

Date:_____

::ODMA\PCDOCS\DOCS\523618\1

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]-3331
Date:
June 20, 1997

Miller & Martin
Nicholas W. Whittenburg
Suite 1000 Volumteer Building
832 Georgia Avenue
Chattanooga, TN 37402-2289

Re: Notice of Nonjudicial Sale

BOOK 10530 PG 183

Taxpayer: Michael W. & Suzanne Warner
Property: 229 Dell Rose Drive, Nashville, TN 37214

Dear Mr. Whittenburg:

This is to acknowledge receipt of your correspondence dated 06-13-97, 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.

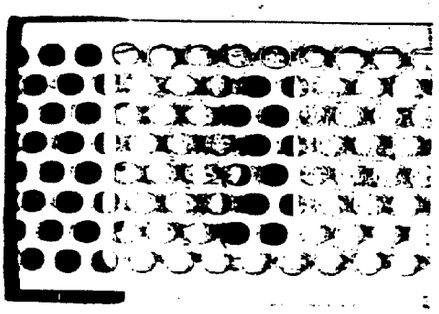
Thank you for your cooperation.

Sincerely,

Ron Strange
Chief, Advisory Section

RECEIVED
JUN 26 1997

Enclosure



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

RECEIVED OF _____

FOR _____

BOOK 10530 PG 184

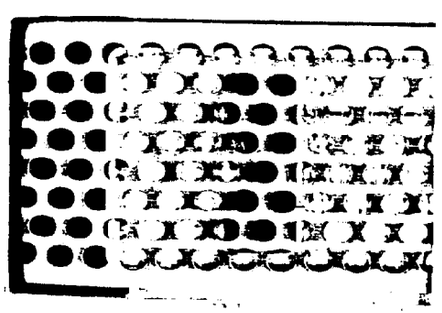
CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

DAMT	74200.00
CON TX	274.54
PRFEE	1.00
MISC	24.00
TOTAL	299.54
CHECK	299.54

07/15/97 01 13:51 0001 4765

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK



0326633
IDENTIF. & REFERENCE

97 JUL 15 PM 1:48

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 1174496