BOOK 10667 PG 341

File in Box No. 19 B

WARRANTY DEED

STATE OF TENNESSEE #97-9-30-B
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 138,000.00

Michael J. Pettus
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 28th DAY OF October 19 97

Notary Public

MY COMMISSION EXPIRES: July 24, 1999
(AFFIX SEAL)

PETER WEISS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

THIS INSTRUMENT WAS PREPARED BY
PETER WEISS, ATTORNEY AT LAW, 761 Old Hickory Blvd, Suite 102, Brentwood, TN 37027

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO: MORTGAGEE	MAP-PARCEL NUMBERS
MICHAEL J. PETTUS (NAME)	FIRST REPUBLIC MORTGAGE CORPORATION (NAME)	MAP 141-12-0-B
7133 Bay Cove Trail (ADDRESS)	3212 West End Avenue, Suite 500 (ADDRESS)	PARCEL 084CO
Nashville, TN 37221 (CITY) (STATE) (ZIP)	Nashville, TN 37203 (CITY) (STATE) (ZIP)	FB #09D-79105

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, CHARLES D. RHODES AND WIFE, CATHERINE A. RHODES

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO MICHAEL J. PETTUS AND WIFE, CARRIE BETH PETTUS

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

LAND in Davidson County, Tennessee, being Lot No. 96 on the Plan of Southampton, Phase 4, a Planned Unit Development, as of record in Book 6250, Page 565, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

BEING the same property conveyed to Charles D. Rhodes and wife, Catherine A. Rhodes, by Deed from Tracy L. Helms and wife, Casey A. Helms, of record in Book 8615, Page 580, Register's Office for Davidson County, Tennessee.

THIS conveyance is subject to Declaration of Covenants, Conditions and Restrictions of Southampton, of record in Book 6120, Page 450, and as amended in Book 6231, Page 63, and made applicable to Phase 4, of record in Book 6624, Page 569, said Register's Office; easements and setback lines as set forth on the above plan of record; and taxes for the current year which have been prorated and paid by the Grantor(s) herein.

unimproved ( )
This is improved (X) property, known as 7133 Bay Cove Trail, Nashville, TN 37221
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. 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.

Witness our hand s this 28th day of October 1997

Charles D. Rhodes
CHARLES D. RHODES

Catherine A. Rhodes
CATHERINE A. RHODES

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named CHARLES D. RHODES AND WIFE, CATHERINE A. RHODES

the bargainor S, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained. Witness my hand and official seal at Brentwood, Tennessee, this 28th day of October 19 97.

Commission expires July 24, 1999

Notary Public

STATE OF TENNESSEE
COUNTY OF

Before me, _____, a Notary Public within and for the State and County aforesaid, personally appeared _____ and _____, with whom I am personally acquainted and who upon _____ oath(s) acknowledged _____ to be the _____ and _____ respectively of the _____, the within named bargainor, and corporation, and that _____ as such _____ and _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the corporation, by the said _____ as such _____, and attesting the same by the said _____ as such _____.

Witness my hand and official seal at office at _____ on this the _____ day of _____ 19_____.

My commission expires _____

Notary Public

0365238
IDENTIFICATION REFERENCE
97 NOV -3 PM 12:20
REGISTER
DAVIDSON COUNTY, TN.
6575 11/03 0101 03CHECK 543.00

DCTN-1WC

EXHIBIT "A" to Warranty Deed

BOOK 10667 PG 343

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

FILED
97 SEP 19 PM 12:52
U.S. BANKRUPTCY

IN RE:	)	
	)	
CHARLES & CATHERINE RHODES	)	CHAPTER 13
SSN: [redacted]-4974; [redacted]-9698	)	CASE NO. 395-00884
7448 RIVER BEND CIRCLE	)	JUDGE: TRAUGER
NASHVILLE TN 37221	)	
	)	
Debtors	)	

NOTICE OF PROPOSED ACTION

Come the debtors, through counsel, Edgar M. Rothschild, III, pursuant to Local Rule No. 1.4, and give notice of proposed motion to modify plan and sell real estate. The motion, attached herewith, discloses the impact on affected creditors. Creditors shall have twenty (20) days from the date of filing of the motion to object to the proposed action by filing a written objection with the Clerk of the Court and serving a copy of the objection on the movant, the Trustee, and the U.S. Trustee. Absent a written objection, an order granting the motion shall be filed with the Court.

Respectfully submitted,

EDGAR M. ROTHSCHILD, III
Attorney for Debtors
500 Church Street, 5th Floor
Nashville, Tennessee 37219
(615) 242-3996

GAA/mod.not

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BOOK 10667 PG 344

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

IN RE:	)	
	)	
CHARLES & CATHERINE RHODES	)	CHAPTER 13
SSN: [redacted]-4974; [redacted]-9698	)	CASE NO: 395-00884
7448 RIVER BEND CIRCLE	)	JUDGE: TRAUGER
NASHVILLE TN 37221	)	
	)	
Debtor	)	

MOTION TO MODIFY PLAN AND ALLOW
DEBTORS TO SELL REAL ESTATE

Come the debtors, through counsel, Edgar M. Rothschild, III, and would ask permission to sell real estate, and to modify the confirmation order of March 16, 1997, as follows:

1. Debtors propose to sell their home at 7133 Bay Cove Trail, Nashville, TN, 37221, for $138,000. Debtors anticipate non-exempt net proceeds in the amount of $18,760.00 to be available at closing to the Trustee for disbursement through the plan, and attach a "net sheet" in support. Debtors would be paid their $7,500.00 homestead exemption at closing.

2. Debtors further propose to modify the plan due to the impact of the $18,760.00 lump sum payment, and due to Mr. Rhodes reduction in income following termination from his job. He is currently working as a self-employed consultant. Plan payments would be reduced from $682.00 bi-weekly to $1050.00 per month by direct pay. The base would be reduced from $88,600.00 to $80,500.00, over a plan life of approximately 47 months from confirmation. Payments to creditors would not be affected by this modification, unsecured creditors would receive the confirmed 70% dividend.

3. Debtors attach an amended family budget in support of this motion to modify which reflects a 23% reduction in income. Rent and utility expenses will decrease following the sale of the home, clothing expense is up slightly now that the oldest child is in school. Other expenses remain unchanged.

Respectfully submitted,

EDGAR M. ROTHSCHILD, III
Attorney for Debtors
500 Church Street, 5th Floor
Nashville, Tennessee 37219
(615) 242-3996

CERTIFICATE OF SERVICE

I certify that on this 19th day of Sept, 1997, I mailed a copy of the foregoing to the Office of the U.S. Trustee, Customs House, 701 Broadway, Nashville, TN 37203, the above referenced debtor and all creditors per attached matrix.

EDGAR M. ROTHSCHILD, III

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BOOK 10667 PG 346

RECEIVED FOR ENTRY

OCT 16 1997

P. CRUTCHFIELD-BLAIR

BY _____ DEPUTY CLERK

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

IN RE:	)	
	)	CHAPTER 13
CHARLES & CATHERINE RHODES	)	CASE NO. 395-00884
SSN: [redacted]-4974; [redacted]-9698	)	JUDGE: TRAUGER
7448 River Bend Circle	)	
Nashville, TN 37221	)	
	)	
Debtors	)	

ORDER MODIFYING CHAPTER 13 PLAN & TO SELL REAL ESTATE

This matter is before the court upon the debtor's motion to modify Chapter 13 plan and sell real estate, with notice of proposed action having been given to all necessary parties pursuant to Local Rule No. 1.4. It appearing that no objection had been filed in writing within 20 days of the filing of the proposed action, the motion is granted and the Order Confirming Chapter 13 Plan of March 16, 1995, shall be modified as follows:

1. Debtors shall be allowed to sell their home at 7133 Bay Cove Trail, Nashville, TN 37221 for $138,000.00. After deduction of the mortgage balance and homested exemption of $7,500.00, and incidental costs, the non-exempt net proceeds of approximately $18,760.00 shall be paid to the trustee for distribution to creditors in the plan. No real estate commissions shall be paid unless in compliance with 11 U.S.C. §327.

2. Plan payments shall be reduced froM $682.00 biweekly to $1050.00 per month by direct pay. The plan base shall be reduced from $88,600.00 to $80,500.00 over a plan life of approximately 47 months from confirmation. Creditors under the plan shall not be affected by this modification.

CERTIFICATE OF MAILING
The undersigned deputy clerk hereby certifies that a copy of the document on which this stamp appears was mailed this date to all parties as indicated on routing stamp as required by the Bankruptcy Code and Rule.
OCT 16 1997
P. CRUTCHFIELD, Deputy Clerk

ORDERED this 15th day of Oct., 1997.

Bankruptcy Judge

APPROVED FOR ENTRY:

EDGAR M. ROTHSCHILD, III
Attorney for Debtors
500 Church Street, 5th Floor
Nashville, Tennessee 37219
(615) 242-3996

CERTIFICATE OF SERVICE

I certify that on this 14th day of Oct, 1997, I mailed a copy of the foregoing to the Office of the Chapter 13 Trustee, P.O. Box 190664, Nashville, TN 37219 and the Office of the U.S. Trustee, Customs House, 701 Broadway, Nashville, TN 37203 and Mr. and Mrs. Charles Rhodes, 7448 River Bend Circle, Nashville, TN 37221.

EDGAR M. ROTHSCHILD, III

MAIL TO:

- ✓ All creditors and/or parties in interest
- ✓ Debtor(s)
- ✓ Attorney for debtor(s)
- ✓ Trustee
- ___ Attorney for Trustee
- ___ Attorney for plaintiff/movant
- ___ Attorney for defendant/respondent
- ___ All parties listed on bottom of order
- ___ All parties listed in cert. of service
- ___ As stated in order
- ✓ Debtor's employer
- ✓ U.S. Trustee

Walk through

ALL MAILING TO BE DONE BY:
(NOTE: send copy of routing slip)

INTERNAL ROUTING:

- ___ Chief Deputy Clerk
- ___ Courtroom Deputy
- ___ Calendar Clerk
- ___ Conversion Clerk
- ___ Financial Clerk
- ___ Judgment Book
- ___ Docketing Clerk

___ Copy to be picked up at front counter by: _____

- ✓ attorney for debtor Rothschild
- ___ attorney for movant
- ___ trustee/attorney for trustee
- ___ Other: _____

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

BOOK 10667 PG 348

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

IN RE:	)	
	)	CHAPTER 13
CHARLES & CATHERINE RHODES	)	CASE NO. 395-00884
SSN: [redacted]-4974; [redacted]-9698	)	JUDGE: TRAUGER
7448 River Bend Circle	)	
Nashville, TN 37221	)	
	)	
Debtor	)	

AFFIDAVIT OF EDGAR M. ROTHSCHILD, III

I, Edgar M. Rothschild, III, having been duly sworn according to law, do hereby state that the requirements of Local Rule No. 1.4, United States Bankruptcy Court for the Middle District of Tennessee, in regard to the notice of proposed action as to affected parties has been complied with.

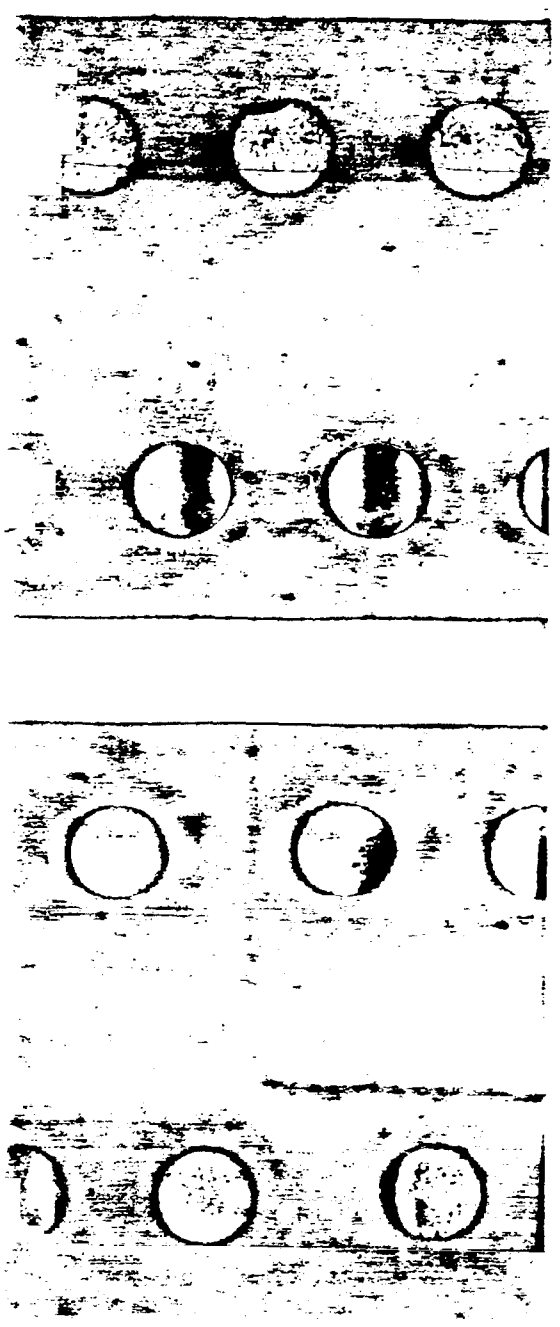
Further affiant saith not.

EDGAR M. ROTHSCHILD, III

Sworn to and subscribed before me
this 13th day of October, 1997.

Notary Public

My Commission Expires: May 27, 2001



OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 10667 PG 349

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
138000.00
CON TX 510.60
PRFEE 1.00
WDEED 32.00
TOTAL 543.60
CHECK 543.60

11/03/97 01 12:21 0001 6575

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0365238
IDENTIFICATION REFERENCE

97 NOV -3 PM 12:20
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

No.1215789