Box 338

98 APR 13 PM 4:23
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

RECEIVED & RECORDED

047440

This instrument prepared by:

Lea W. Stouffer
Farris, Warfield & Kanaday, PLC
424 Church Street, Suite 1900
SunTrust Center
Nashville, TN 37219

BOOK 10884 PG 275

Address New Owner (s) as Follows:	Send Tax Bills To:	Map and Parcel No.:
George Ellis Thomas, Jr. 3300 Murfreesboro Road Nashville, TN 37013	Same	164-44

SUCCESSOR TRUSTEE'S DEED

This Successor Trustee's Deed is made and entered into on this the 9th day of April, 1998, by Lea W. Stouffer, Successor Trustee ("Successor Trustee").

WHEREAS, by Deed of Trust dated the 28th day of August, 1996, of record in Book 10179, page 1, and re-recorded in Book 10187, page 230, Register's Office for Davidson County, Tennessee (as re-recorded, the "Deed of Trust"), James C. McCollum, unmarried, conveyed to T. Michael Logan, Trustee, the Property (as hereinafter defined), to secure payment to SunTrust Bank, Nashville, N.A. (the "Lender") of a certain indebtedness described in the Deed of Trust (the "Indebtedness"); and

WHEREAS, the Indebtedness became overdue and unpaid, and other conditions of default occurred, by reason of which the Lender declared the Deed of Trust to be in default; and

WHEREAS, Lender appointed Lea W. Stouffer to serve as Successor Trustee in place of T. Michael Logan in accordance with the terms of the Deed of Trust by an instrument of record in Book 10613, page 989, said Register's Office; and

WHEREAS, the United States of America filed a Lis Pendens in the matter of United States of America v. 3300 Murfreesboro Road, et al, of record in Book 10261, page 668, said Register's Office, which Lis Pendens stated that pursuant to Title 18, United States Code, Section 981(f), all right, title and interest in the Property vested in the United States as set forth in such Lis Pendens; and

WHEREAS, in the matter of United States of America v. 3300 Murfreesboro Road, et al, by Order For Sale of Property of record in Book 10753, page 691, said Register's Office and as amended by Agreed Order Amending Order For Sale of Property of record in Book 10753, page 698, said Register's Office (as amended, the "Order"), the United States of America acknowledged that Lender may foreclose under the Deed of Trust pursuant to the terms of the Order; and

WHEREAS, Lender directed the Successor Trustee to sell the Property as provided in the Deed of Trust, and the Successor Trustee caused notice to be published in The Nashville Record that the Property would be sold at 11:00 o'clock a.m. on March 14, 1998, at the Property (the "Foreclosure Notice"), such Foreclosure Notice appearing in said paper on February 19, 1998, February 26, 1998 and March 5, 1998; and

WHEREAS, the Successor Trustee further sent a copy of the Foreclosure Notice to James C. McCollum, and following the appearance of the Foreclosure Notice in said newspaper the default was not cured; and

WHEREAS, as required by law, due notice of such sale was given to the State of Tennessee Department of Revenue, which had filed a state tax lien on the Property, by letter dated February 13, 1998, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the State of Tennessee Department of Revenue responded in writing to the letter attached hereto as Exhibit A as evidenced by the March 10, 1998 letter to the Successor Trustee, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, the Successor Trustee at the time, place and date specified in the Foreclosure Notice offered the Property for sale, and after opening the floor for competitive bids, sold the Property to George Ellis Thomas, Jr. at the price of Five Hundred Sixty Thousand and No/100 Dollars ($560,000.00), this being the highest, last and best bid.

WHEREAS, George Thomas, Jr. executed at the foreclosure sale an Acknowledgment in the form attached to the Order at Book 10753, page 691, said Register's Office; and

NOW, THEREFORE, I, Lea W. Stouffer, Successor Trustee as aforesaid, in consideration of the premises and the sum of $560,000.00, to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto George Ellis Thomas, Jr., his heirs, successors and assigns (the "Grantee") all of my right, title and interest in and to the following described real estate, together with all the improvements now erected on the Property, and all easements, appurtenances, and fixtures now a part of the Property and all replacements and additions thereto, but no further or otherwise, located in Davidson County, Tennessee (collectively, the "Property"), and more particularly described as follows, to wit:

> Land in the 3rd Civil District of Davidson County, Tennessee, being part of Lot No. 6 in the division of the lands of Thomas J. Miller, deceased, of record in Book 115, page 324, Register's Office for Davidson County, Tennessee, described as follows:
>
> TRACT 1:
>
> Beginning at a point in the northeasterly margin of Murfreesboro Pike; thence along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 449.2 feet to the right of way monument; thence north 58 deg. 36' east, a distance of 10 feet; thence still along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 237.6 feet to a corner post; thence north 58 deg. 9' east, a distance of 526.2 feet to a post; thence north 46 deg. 56' 9" east, a distance of 526.2 feet to a post; thence north 46 deg. 56' east, a distance of 146.6 feet to a post; thence north 69 deg. 35' east, a distance of 8.5 feet to a post; thence north 20 deg. 26' east, a distance of 189.2 feet to a corner post; thence (north) 73 deg. 57' west, a distance of 130.3 feet to a corner post; thence north 16 deg. 23' west, a distance of 194.0 feet to an 8-inch cedar; thence north 29 deg. 22' west, a distance of 101.6 feet to a post; thence north 63 deg. 1' west, a distance of 130.6 feet to a corner post; thence north 35 deg. 30' east, a distance of 556.5 feet to a corner post; thence south 71 deg. 31' east, a distance of 524.4 feet to a corner post; thence south 5 deg. 14' west a distance of 1,132.9 feet to a corner post; thence south 51 deg. 50' west, a distance of 274.0 feet to a corner post; thence south 3 deg. 58' west a distance of 515.3 feet to a corner post; thence north 88 deg. 57' west, a distance of 399.2 feet to the point of beginning.
>
> TRACT 2:
>
> Beginning on the southeast corner of old original tract on the center of Mt. View Road, (formerly Old Franklin Pike) at

the northeast corner of Sarton Tract and fence line, north 89.5 deg. west 222 feet to a stake in the fence line; thence with the east line of Fred S. Gentry Lot, north 2 deg. east 495 feet to a stake in the fence line, the south line of Old Johnson Tract, now Gentry Tract; thence with this line, north 51 deg. east, 291 feet to the center of Mt. View Road; thence with the center of same, south 2 deg. west 690 feet to the beginning.

Being the same property conveyed to James C. McCollum by deed from Robert A. Shannon and wife, Johnnie B. Shannon, of record in Book 9644, page 715, said Register's Office.

The Property is improved property.

The street address of the Property is believed to be 3300 Murfreesboro Road, Nashville, Tennessee 37013, but such address is not part of the legal description of the Property. In the event of any discrepancy, the legal description herein shall control.

To have and to hold the Property, and free of all right of homestead, equity of redemption, statutory right of redemption and all other rights and exemptions of every kind, including, but not limited to, a statutory right to an elective share in the Property, as provided in, but only to the extent provided in, said Deed of Trust.

Grantee hereunder accepts title to the Property and all improvements thereon in an AS IS WHERE IS condition, and without representation or warranty from Successor Trustee and/or Lender as to any matter whatsoever. Without limiting the foregoing, SUCCESSOR TRUSTEE DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ADDITIONALLY, SUCCESSOR TRUSTEE DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES AS TO THE ABSENCE OR PRESENCE ON OR UNDER THE PROPERTY OF HAZARDOUS SUBSTANCES AS DEFINED BY ANY ENVIRONMENTAL LAWS, INCLUDING WITHOUT LIMITATION THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT ("CERCLA") OR SIMILAR FEDERAL AND STATE LEGISLATION (COLLECTIVELY, THE "ENVIRONMENTAL LAWS"). Grantee accepts title to the Property subject to any problems arising in connection with the Property and/or the improvements located thereon, including without limitation problems arising out of or in connection with deterioration of any improvements thereon, violations of the Environmental Laws, and potential flood hazards. By accepting the Successor Trustee's Deed, Grantee agrees to indemnify and hold the Successor Trustee and Lender harmless from any and all costs, expenses, and liability, including without limitation attorneys' fees, arising out of or in connection with any of the foregoing.

Said sale is subject to certain easements, restrictions, liens, taxes, etc., including, but not limited to the following to the extent applicable on the date hereof:

(1) 1998 real property taxes, a lien not yet due and payable.

(2) Any mechanics' and materialmen's liens, filed or unfiled, which take priority over the Deed of Trust upon which this foreclosure sale is had.

(3) Title to that portion of the Property lying within the bounds of any roads, streets, or highways.

(4) Such easements, building lines, recorded plans and restrictions as may be applicable, including, but not limited to the following: (a) Easement to Tennessee Electric Power Company for power line of record in Book 437, page 19, said Register's Office, and (b) Right of Way Easement to Colonial Pipeline Company for pipeline of record in Book 3615, page 427, said Register's Office.

(5) Any rights of redemption or otherwise held by the State of Tennessee as provided for in Tennessee Code Annotated § 67-1-1433(c)(1).

(6) Rights or claims of parties in possession.

(7) Encroachments, overlaps, boundary line disputes or other matters which would be shown by an accurate survey or inspection of the Property.

(8) Any and all deeds of trust and/or fixture filings which take priority over the Deed of Trust upon which this foreclosure sale is had.

(9) Subject to the liens for any unpaid assessments and/or special assessments.

(10) Any marital rights of the spouse, if any, of James C. McCollum.

(11) Application for Greenbelt Assessment - Agricultural of record in Book 9050, page 947 and Book 9050, page 948, said Register's Office.

(12) Electrical permit of record in Book 5719, page 886, said Register's Office.

(13) Sewage Soil Absorption Letter of record in Book 7487, page 158, said Register's Office.

(14) Supplemental Right of Way Agreement of record in Book 4578, page 374, said Register's Office.

(15) Any and all other matters, including, without limitation, liens, easements, restrictions, claims, defects, encumbrances, adverse claims and other matters which take priority over the Deed of Trust under which the foreclosure was held.

WITNESS the signature of the Successor Trustee on this the day and date first above written.

Lea W. Stouffer, Successor Trustee

Lea W. Stouffer, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, Julie A. Carson, a Notary Public of the State and County aforesaid, personally appeared Lea W. Stouffer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Successor Trustee, and that she as such Successor Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing her name as Successor Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this 9th day of April, 1998.

Julie A. Carson
Notary Public

My commission expires: 5-23-98

BOOK 10884 PG 279

STATE OF TENNESSEE_____)
COUNTY OF Davidson)

The actual consideration or value whichever is greater, for this transfer is Five Hundred Sixty Thousand and No/100 Dollars ($560,000.00).

Affiant

Subscribed and sworn to before me this the 9th day of April, 1998.

Julie A. Carson
Notary Public

My commission expires: 5-23-98

3443 04/13 0101 03CHECK 2145.00

EXHIBIT A

TO SUCCESSOR TRUSTEE'S DEED

BOOK 10884 PG 280

FARRIS, WARFIELD & KANADAY, PLC
ATTORNEYS AT LAW
SUNTRUST CENTER
424 CHURCH STREET, SUITE 1900
NASHVILLE, TENNESSEE 37219-2387

LEA W. STOUFFER
(615) 782-2290

TELEPHONE (615) 244-5200
FAX (615) 726-3185

BOOK 10884 PG 281

February 13, 1998

VIA HAND DELIVERY

Commissioner of Revenue
State of Tennessee
12th Floor
Andrew Jackson State Office Building
500 Deaderick Street
Nashville, Tennessee 37242
Attn: Director, Tax Enforcement Division

Re: Tennessee Code Annotated Section 67-1-1433(b)
Notice of Sale

Dear Commissioner:

This firm represents SunTrust Bank, Nashville, N.A. (the "Holder") which holds a Promissory Note executed by James C. McCollum dated August 28, 1996 in the original principal amount of $487,500.00 (the "Note"). The Note is secured by a Deed of Trust dated August 28, 1996 and recorded in Book 10179, page 1, and re-recorded in Book 10187, page 230, Register's Office for Davidson County, Tennessee (as re-recorded the "Deed of Trust"). The Note is in default and demand for payment of the amount in default has been made, but such demand has not been honored. The Holder of the Note and Deed of Trust, therefore, has declared the Note to be in default so that full payment of the Note is now required and has demanded that the property covered by the Deed of Trust, and hereinafter described, be advertised and sold in satisfaction of said indebtedness and the costs of foreclosure.

It is my understanding that the State of Tennessee Department of Revenue has filed a Notice of State Tax Lien against the property. Therefore, this notice is being submitted to you pursuant to Tennessee Code Annotated § 67-1-1433(b) as follows:

1. This notice is submitted by Farris, Warfield & Kanaday, PLC, 19th Floor, SunTrust Center, 424 Church Street, Nashville, Tennessee 37219, on behalf of Holder.

2. The State of Tennessee Department of Revenue has filed a Notice of State Tax Lien ("Tax Lien Notice") against JAMES CHARLES MCOLLUM D/B/A JAMES CHARLES MCCOLLUM in an unspecified amount. The address of said taxpayer as shown on the Tax Lien Notice is 3300 Murfreesboro Road, Nashville, TN 37217. The Tax Lien Notice bears Serial Numbers 100 100006243 and 002 100-00-6243, was dated November 7, 1997, is of record in Book 10684, page 468, Register's Office for Davidson County, Tennessee, having been recorded at said Register's Office on November 14, 1997. A copy of said Tax Lien Notice is enclosed herewith for your convenience.

3. The street address of the property affected by this notice is 3300 Murfreesboro Road, Nashville, Tennessee, said property being more particularly described as that certain real property situated in Davidson County, Tennessee, as follows:

TRACT 1:

Beginning at a point in the northeasterly margin of Murfreesboro Pike; thence along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 449.2 feet to the right of way monument; thence north 58 deg. 36' east, a distance of 10 feet; thence still along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 237.6 feet to a corner post; thence north 58 deg. 9' east, a distance of 526.2 feet to a post; thence north 46 deg. 56' 9" east, a distance of 526.2 feet to a post; thence north 46 deg. 56' east, a distance of 146.6 feet to a post; thence north 69 deg. 35' east, a distance of 8.5 feet to a post; thence north 20 deg. 26' east, a distance of 189.2 feet to a corner post; thence (north) 73 deg. 57' west, a distance of 130.3 feet to a corner post; thence north 16 deg. 23' west, a distance of 194.0 feet to an 8-inch cedar; thence north 29 deg. 22' west, a distance of 101.6 feet to a post; thence north 63 deg. 1' west, a distance of 130.6 feet to a corner post; thence north 35 deg. 30' east, a distance of 556.5 feet to a corner post; thence south 71 deg. 31' east, a distance of 524.4 feet to a corner post; thence south 5 deg. 14' west a distance of 1,132.9 feet to a

corner post; thence south 51 deg. 50' west, a distance of 274.0 feet to a corner post; thence south 3 deg. 58' west a distance of 515.3 feet to a corner post; thence north 88 deg. 57' west, a distance of 399.2 feet to the point of beginning.

TRACT 2:

Beginning on the southeast corner of old original tract on the center of Mt. View Road, (formerly Old Franklin Pike) at the northeast corner of Sarton Tract and fence line, north 89.5 deg. west 222 feet to a stake in the fence line; thence with the east line of Fred S. Gentry Lot, north 2 deg. east 495 feet to a stake in the fence line, the south line of Old Johnson Tract, now Gentry Tract; thence with this line, north 51 deg. east, 291 feet to the center of Mt. View Road; thence with the center of same, south 2 deg. west 690 feet to the beginning.

Being the same property conveyed to James C. McCollum by deed from Robert A. Shannon and wife, Johnnie B. Shannon, of record in Book 9644, page 715, said Register's Office.

4. The real property herein described will be sold at public auction for cash on March 14, 1998, at 11:00 a.m. at 3300 Murfreesboro Road in Nashville, Tennessee. Enclosed herewith is a copy of the Notice of Foreclosure.

5. The approximate amount of principal indebtedness on the Note is $484,801.46 with accrued interest in the amount of $39,146.38 as of February 10, 1998. Accordingly, the total indebtedness secured by the Deed of Trust is approximately $523,947.84 plus the expenses and attorney's fees incurred in connection with this foreclosure. It is not anticipated that additional costs and expenses in this foreclosure will exceed the sum of $40,000.00.

The property herein described is also subject to the following encumbrances:

1. 1998 Davidson County real property taxes, a lien not yet due and payable.

2. Any rights of the Metropolitan Government resulting from the non-payment of state and county taxes for 1996 and 1997.

3. Rights of parties in actual possession of all or any part of the Property.

4. Subject to the liens for any unpaid assessments and/or special assessments.

5. Application for Greenbelt Assessment - Agricultural of record in Book 9050, page 947 and Book 9050, page 948, said Register's Office.

6. Electrical permit of record in Book 5719, page 886, said Register's Office.

7. Sewage Soil Absorption Letter of record in Book 7487, page 158, said Register's Office.

8. Easement to Tennessee Electric Power Company for power line of record in Book 437, page 19, said Register's Office.

9. Right of Way Easement to colonial Pipeline Company for pipeline of record in Book 3615, page 427, said Register's Office.

10. Supplemental Right of Way Agreement of record in Book 4578, page 374, said Register's Office.

11. Any interest of The United States of America as evidenced by the Lis-Pendens of record in Book 10261, page 668, said Register's Office.

12. Order for Sale of Property in the matter of the United States of America v. 3300 Murfreesboro Road, et al of record in Book 10753, page 691, said Register's Office and as amended by Agreed Order Amending Order for Sale of Property of record in Book 10753, page 698, said Register's Office.

13. Notice of State Tax Lien against JAMES CHARLES MCCOLLUM D/B/A JAMES CHARLES MCCOLLUM taxpayer of record in Book 10684, page 468, Register's Office for Davidson County, Tennessee.

14. Judgement against James McCollum in the amount of $7,057.33 of record in Book 10703, page 936, Register's Office for Davidson County, Tennessee.

Please accept this letter as the twenty-five (25) day notice required by T.C.A. § 67-1-1433(b), which notice must be given to

the Commissioner of Revenue or his delegate. Please advise me immediately of any deficiency in this notice.

Sincerely yours,

FARRIS, WARFIELD & KANADAY, PLC

Lea W. Stouffer

Lea W. Stouffer

LWS/kf
Enc.
cc: SunTrust Bank, Nashville, N.A. Officers:
Rose Ollis (w/o encl.)
Nina Vowell (w/o encl.)
David McCall (w/o encl.)

Personal Service Accepted:

By: Fay Hardesty

Date: 2-13-98

BK 10684

OFF REC

BOOK 10884 PG 286

M0007901

S201603971106

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:

ENTITY ID:

1765 11/14 0101 03CHECK 8.00

JAMES CHARLES MCOLLUM

100 [redacted]6243

D/B/A: JAMES CHARLES MCCOLLUM
3300 MURFREESBORO ROAD
NASHVILLE TN 37217

002[redacted]0-6243

COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on November 7, 1997.

COMMISSIONER OF REVENUE

By: William E. Hanks
Delegate of Commissioner

FOR REGISTER USE ONLY — PRINT OR STAMP

BOOK NO 10684 PAGE NO. 468

DATE

TIME

97 NOV 14 AM 11:34

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. / REFERENCE 0369896

REGISTER

BY:

PG 468

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

NOTICE OF FORECLOSURE

WHEREAS, James C. McCollum, unmarried (the "Grantor"), by that certain Deed of Trust dated August 28, 1996, being of record in Book 10179, page 1, and re-recorded in Book 10187, page 230, Register's Office for Davidson County, Tennessee (as re-recorded, the "Deed of Trust"), conveyed to T. Michael Logan, Trustee, the Property (as hereinafter defined) to secure the payment of certain indebtedness described in the Deed of Trust (the "Indebtedness"), which Indebtedness is presently held and owned by SunTrust Bank, Nashville, N.A. (the "Lender"); and

WHEREAS, default has occurred by Grantor's failure to comply with the terms and conditions of the Deed of Trust, and the Indebtedness has been declared due and payable as provided in the Deed of Trust, and the Indebtedness has not been paid; and

WHEREAS, Lender, the owner and holder of the Indebtedness, has demanded that the Property be advertised and sold in satisfaction of the Indebtedness and the costs of foreclosure in accordance with the terms of the Deed of Trust; and

WHEREAS, pursuant to the Deed of Trust, Lender previously elected to remove T. Michael Logan as Trustee and appointed Lea W. Stouffer as Successor Trustee, said Appointment being of record in Book 10613, page 989, said Register's Office; and

WHEREAS, the United States of American filed a Lis Pendens in the matter of United States of America v. 3300 Murfreesboro Road, et al, of record in Book 10261, page 668, said Register's Office, which Lis Pendens stated that pursuant to Title 18, United States Code, Section 981(f), all right, title and interest in the Property vested in the United States as set forth in such Lis Pendens; and

WHEREAS, in the matter of United States of America v. 3300 Murfreesboro Road, et al, by Order For Sale of Property of record in Book 10753, page 691, said Register's Office and as amended by Agreed Order Amending Order For Sale of Property of record in Book 10753, page 698, said Register's Office (as amended, the "Order"), the United States of America acknowledged that Lender may foreclose under the Deed of Trust pursuant to the terms of the Order; and

WHEREAS, the successful bidder at the foreclosure sale will be required to execute an Acknowledgement in the form attached to the Order at Book 10753, page 691, said Register's Office; and

WHEREAS, a Notice of State Tax Lien dated November 7, 1997, was filed for record on November 14, 1997 in Book 10684, page 468, Register's Office for Davidson County, Tennessee (the "State Tax Lien"), which State Tax Lien shows the taxpayer as being JAMES CHARLES MCOLLUM D/B/A JAMES CHARLES MCCOLLUM; and

WHEREAS, by letter dated February 13, 1998, and hand-delivered on February 13, 1998, the notice required by T.C.A. Sub. Sec. 67-1-1433(b)(1) has been timely given to the State of Tennessee.

NOW, THEREFORE, notice is hereby given that I, Lea W. Stouffer, Successor Trustee, pursuant to the power, duty and authority vested in and imposed upon me in the Deed of Trust, will on March 14, 1998 at 11:00 o'clock a.m. at the location of the Property, offer for sale to the highest and best bidder for cash, and free from all right of homestead, equity of redemption, statutory right of redemption and all other rights and exemptions of every kind, including, but not limited to, a statutory right to an elective share in the Property, all of which are expressly waived and/or relinquished in the Deed of Trust, the real property situated in Davidson County, Tennessee, described as

follows, together with all the improvements now erected on the Property, and all easements, appurtenances, and fixtures now a part of the Property and all replacements and additions thereto (collectively, the "Property"):

Land in the 3rd Civil District of Davidson County, Tennessee, being part of Lot No. 6 in the division of the lands of Thomas J. Miller, deceased, of record in Book 115, page 324, Register's Office for Davidson County, Tennessee, described as follows:

TRACT 1:

Beginning at a point in the northeasterly margin of Murfreesboro Pike; thence along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 449.2 feet to the right of way monument; thence north 58 deg. 36' east, a distance of 10 feet; thence still along the northeasterly margin of Murfreesboro Pike, north 31 deg. 24' west, a distance of 237.6 feet to a corner post; thence north 58 deg. 9' east, a distance of 526.2 feet to a post; thence north 46 deg. 56' 9" east, a distance of 526.2 feet to a post; thence north 46 deg. 56' east, a distance of 146.6 feet to a post; thence north 69 deg. 35' east, a distance of 8.5 feet to a post; thence north 20 deg. 26' east, a distance of 189.2 feet to a corner post; thence (north) 73 deg. 57' west, a distance of 130.3 feet to a corner post; thence north 16 deg. 23' west, a distance of 194.0 feet to an 8-inch cedar; thence north 29 deg. 22' west, a distance of 101.6 feet to a post; thence north 63 deg. 1' west, a distance of 130.6 feet to a corner post; thence north 35 deg. 30' east, a distance of 556.5 feet to a corner post; thence south 71 deg. 31' east, a distance of 524.4 feet to a corner post; thence south 5 deg. 14' west a distance of 1,132.9 feet to a corner post; thence south 51 deg. 50' west, a distance of 274.0 feet to a corner post; thence south 3 deg. 58' west a distance of 515.3 feet to a corner post; thence north 88 deg. 57' west, a distance of 399.2 feet to the point of beginning.

TRACT 2:

Beginning on the southeast corner of old original tract on the center of Mt. View Road, (formerly Old Franklin Pike) at the northeast corner of Sarton Tract and fence line, north 89.5 deg. west 222 feet to a stake in the fence line; thence with the east line of Fred S. Gentry Lot, north 2 deg. east 495 feet to a stake in the fence line, the south line of Old Johnson Tract, now Gentry Tract; thence with this line, north 51 deg. east, 291 feet to the center of Mt. View Road; thence with the center of same, south 2 deg. west 690 feet to the beginning.

Being the same property conveyed to James C. McCollum by deed from Robert A. Shannon and wife, Johnnie B. Shannon, of record in Book 9644, page 715, said Register's Office.

The street address of the Property is believed to be 3300 Murfreesboro Road, Nashville, Tennessee 37013, but such address is not part of the legal description of the Property. In the event of any discrepancy, the legal description herein shall control.

A review of the records at the Register's Office for Davidson County, Tennessee disclosed that the Property may be encumbered by the following:

1. 1998 Davidson County real property taxes, a lien not yet due and payable.
2. Any rights of the Metropolitan Government resulting from the non-payment of state and county taxes for 1996 and 1997.
3. Rights of parties in actual possession of all or any part of the Property.
4. Subject to the liens for any unpaid assessments and/or special assessments.
5. Application for Greenbelt Assessment - Agricultural of record in Book 9050, page 947 and Book 9050, page 948, said Register's Office.
6. Electrical permit of record in Book 5719, page 886, said Register's Office.
7. Sewage Soil Absorption Letter of record in Book 7487, page 158, said Register's Office.
8. Easement to Tennessee Electric Power Company for power line of record in Book 437, page 19, said Register's Office.
9. Right of Way Easement to Colonial Pipeline Company for pipeline of record in Book 3615, page 427, said Register's Office.
10. Supplemental Right of Way Agreement of record in Book 4578, page 374, said Register's Office.
11. Lis-Pendens of record in Book 10261, page 668, said Register's Office.
12. Order For Sale of Property in the case of the United States of America v. 3300 Murfreesboro Road, et al of record in Book 10753, page 691, said Register's Office and as amended by Agreed Order Amending Order for Sale of Property of record in Book 10753, page 698, said Register's Office.
13. Notice of State Tax Lien against JAMES CHARLES MCOLLUM D/B/A JAMES CHARLES MCCOLLUM taxpayer of record in Book 10684, page 468, said Register's Office.
14. Judgement against James McCollum of record in Book 10703, page 936, said Register's Office.

Said sale will be subject to any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien against the Property and subject to any and all liens, defects, encumbrances, adverse claims and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had, including, but not limited to, prior deeds of trust, fixture filings, easements, restrictions, building lines, and recorded Plans and subject to any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which have not been waived by such governmental agency, specifically including with respect to the State Tax Lien identified above, the right of the State of Tennessee to redeem the Property as provided for in T.C.A. Sub. Sec. 67-1-1433(c)(1). Said sale is also subject to matters which an accurate survey of the Property might disclose.

The Property is to be sold AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY

IS TO BE SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

This 13th day of February, 1998.

Lea W. Stouffer
Lea W. Stouffer
Successor Trustee

FARRIS, WARFIELD & KANADAY, PLC
SunTrust Center
424 Church Street, Suite 1900
Nashville, Tennessee 37219

Insertion Dates: February 19, 1998
February 26, 1998
March 5, 1998

EXHIBIT B

TO SUCCESSOR TRUSTEE'S DEED

BOOK 10884 PG 291

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

March 10, 1998

BOOK 10884 PG 292

Ms. Lea W. Stouffer
Attorney At Law
Farris, Warfield & Kanaday
Suntrust Center
424 Church Street, Ste 1900
Nashville, TN 37219-2387

RE: Foreclosure Sale of Property Owned by:
James C. McCollum
Account Numbers: 100-100006243

Dear Ms. Stouffer:

This is in reference to your letter dated February 13, 1998 concerning a foreclosure sale of property owned by **James C. McCollum.**

Your letter does comply with the provisions of T.C.A. 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties, and interest due the Department of Revenue must be remitted to the State of Tennessee. The amount of taxes, penalties and interest due as of **March 30, 1998** is **$270,845.00.**

After the sale, please furnish me with an accounting of the sale (a closing statement), and I will release the State's tax lien on the property sold.

I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Wilbur E. Hooks

Wilbur E. Hooks
Revenue Enforcement Manager
Special Procedures Section

c: Gary Dietz, Revenue Enforcement Supervisor, Nashville Region
Lynn York, Revenue Enforcement Supervisor, Nashville Region

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

RECEIVED OF _____

FOR _____

BOOK 10884 PG 293

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
560000.00
CON TX 2072.00
PRFEE 1.00
WDEED 72.00
TOTAL 2145.00
CHECK 2145.00
04/13/98 01 16:24:0001 3443

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0424940
IDENTIFICATION REFERENCE

98 APR 13 PM 4:23

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 1279611