This Instrument Prepared By:

David M. Smythe
Suite 450 -Pilcher Building
144 Second Avenue, North
Nashville, TN 37201
(615) 255-4849

# SUBSTITUTE TRUSTEE'S DEED

BOOK 11389 PG. 278

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Address New Owner(s) As Follows: Send Tax Bills To: Map-Parcel Nos.

| | | |
|---|---|---|
| First American National Bank<br>First American Center<br>Nashville, TN 37237 | Same | Map 071-12-0<br>Parcel No.<br>324.00 |

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I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $15,000.00.

David M Smythe
Affiant

Subscribed and sworn to before me this 16th day of March, 1999.

Elizabeth M. Amos
Notary Public

My Commission Expires: 11/30/002

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WHEREAS, by Deed of Trust dated February 28, 1997, and recorded in Book 10369, Page 798, Register's office for Davidson County, Tennessee, Timothy R. Hess and wife, Julia A. Hess conveyed to Guaranty Title Company, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument recorded in Book 11334, Page 476, said Register's office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Deed of Trust, and said advertisement appeared in the Nashville Record Newspaper on February 18, 1999, February 25, 1999, and March 4, 1999; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 12th day of March, 1999, at 11:15 o'clock A.M. at the front door of the Davidson County Courthouse, Nashville, Tennessee; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which sale, First American National Bank, being the highest and best bidder became the purchaser of said property at and for the sum of Fifteen Thousand and No/100ths Dollars ($15,000.00).

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute

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

Trustee, does hereby grant, bargain, sell, transfer, and convey unto First American National Bank the following real estate:

Being Lot No. 36 on the Plan of Joywood Subdivision, which is of record in Book 974, Page 45, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Timothy R. Hess and wife, Julie A. Hess, by deed from Robert N. Wright of record in Book 10369, Page 795, Register's Office for Davidson County, Tennessee.

to have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in fee simple, forever 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, any statutory right to an elective share in the property in the makers of said Deed of Trust, and all persons claiming through and under said makers.

UNDERSIGNED, as Substitute Trustee, does hereby transfer, assign, and set over unto First American National Bank, its representatives, successors and assigns, all of the covenants or warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise. Undersigned makes no warranties as to condition, location or set back of improvements on the property. This conveyance is subject to such priority tax liens and prior encumbrances as may appear of record, as well as all ad valorem property taxes which may be of record or applicable to said property.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto set his hand and seal, this 16th day of March, 1999.

David M. Smythe
Substitute Trustee

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, Elizabeth M. Amos, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted, (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 16th day of March, 1999.

Elizabeth M. Amos
Notary Public

My Commission Expires: 11/30/002

99 MAR 18 AM 8:11

05626630

# OFFICIAL RECEIPT

**BILL GARRETT**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

**RECEIVED OF** _____

**FOR** _____

BOOK 11389 PG. 280

| | | | | | |
|---|---|---|---|---|---|
| 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 | CFEE | COMPUTER FEE | PRFEE | PROBATE FEE |

0562630

IDENTIF. & REFERENCE

99MAR18 AM 8:11

REGISTER
DAVIDSON COUNTY, TN

| | |
|---|---|
| CHRT | 15000.00 |
| CO. TX | 55.50 |
| PRFEE | 1.00 |
| MTGTX | 8.00 |
| CFEE | 2.00 |
| TOTAL | 66.50 |
| CHECK | 66.50 |

03 15 99 01 08:10 0001 0204

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

**No.** 1439321