THIS INSTRUMENT PREPARED BY AND RETURN TO
LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
P.O. BOX 241155
MEMPHIS, TN 38124-1155

Tennessee VA

Name: John L. Cherry,
S&K#: 98-0443
VA #: 202-020372916
Loan#: 16118761

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 17, 1988, recorded in Book 7634, Page 904, Register's Office of DAVIDSON County, Tennessee, John L. Cherry, unmarried conveyed to D. Gene Merrill and Frederick E. Brooks, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Book 10839, Page 117, Register's Office of DAVIDSON County, Tennessee; 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 by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on May 26, 1999 at the DAVIDSON County Courthouse in Nashville Tennessee, at 10:00 am; 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 time the said property was struck off and sold to Homeside Lending, Inc., whose address is 7022 A.C. Skinner Parkway Suite 200 Jacksonville, FL 32256, at and for the sum of $34,672.00, that being the highest and best bid offered; and,

WHEREAS, the said Homeside Lending, Inc. has assigned its interests in the said property to Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Homeside Lending, Inc., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Joe M. Kirsch, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in NASHVILLE, County of DAVIDSON, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Being Lot No. 9 on the Plan of Cumberland Gardens Subdivision, Section 4, recorded in Book 3106, Page 24, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

This legal description is identical with that in Deed recorded in Book 7634, Page 904, Register's Office of DAVIDSON County Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 7634, Page 904, Register's Office of DAVIDSON County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Book 7634, Page 901, Register's Office for DAVIDSON County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines, easements and any other matter of record.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns, in fee simple forever, to whom the said Joe M. Kirsch, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under it, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Joe M. Kirsch, Substitute Trustee, has hereunto set its hand and seal on the date written below.

Joe M. Kirsch, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 21 day of May, 1999, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Joe M. Kirsch, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at Office the day and year above written.

ELIZABETH I. ADKINS NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 9-15-2002

Elizabeth I Adkins
Notary Public

NO TAX/GOVERNMENTAL AGENCY

PROPERTY ADDRESS: 2603 DEERFIELD DRIVE, , NASHVILLE, TN, 37208

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Veterans Affairs
c/o Director, VA Regional Office
110 9th Avenue, S.
Nashville, TN 37203

S & K File #98-0443
Map & Parcel - 81 6 72

MAIL ENV.

05956691

RECEIVED FOR REFERENCE

99 JUN -4 AM 9:55

HILL B. HOWELL, REGISTER
DAVIDSON COUNTY, TN.

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