BOOK 11696 PAGE 846

06414856

99 OCT -3 PM 3:21

SB

This Instrument Prepared by:
Marshall L. Hix, Esquire
HIX GRAY & NAVE, PLLC
1620 First American Center
315 Deaderick Street
Nashville, Tennessee 37238-1620

Name of New Owner:
Bay Financial Savings Bank, F.S.B.
5537 Sheldon Road, Suite D
Tampa, Florida 33615-3167

Send Tax Bills To:
SAME

Map and Parcel No.:
Map 150-03-0
Parcel 180

DEED IN LIEU OF FORECLOSURE

This Deed entered into by and between FRED M. MATHENY (hereinafter referred to as "Grantor") and BAY FINANCIAL SAVINGS BANK, F.S.B. (hereinafter referred to as "Grantee").

WHEREAS, Fred M. Matheny, by a Deed of Trust dated March 10, 1998 (the "Deed of Trust") of record in Book 10848, Page 89, Register's Office for Davidson County, Tennessee, conveyed to Belle Meade Title Company, Trustee, the hereinafter described real property to secure to B.F.S.B. Financial Services, Inc., an indebtedness (the "Note") and other charges as described in the Deed of Trust; and

WHEREAS, Grantor has defaulted under the terms of the Note secured by the Deed of Trust and the owner and holder of the Note has demanded that the real property be advertised and sold in satisfaction of the Note and the cost of foreclosure in accordance with the terms and provisions of the Note and Deed of Trust; and

WHEREAS, Grantor has offered to convey said real property to grantee in lieu of Grantee holding the foreclosure sale and in satisfaction and cancellation of the Note.

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Fred M. Matheny has this day bargained and sold and by these presents do transfer and convey unto Bay Financial Savings Bank F.S.B., its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee described as follows:

> Land in Davidson County, Tennessee, being Lot No. 23, Section One, Harbor Landing, as of record in Book 6250, page 312, said 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 Fred M. Matheny, unmarried, by Warranty Deed from Donald R. Parkerson and wife, Patsy C. Parkerson, or record in Book 9454, page 985, Register's Office for Davidson County, Tennessee.

To have and to hold said tract or parcel of land, with the appurtenances, estate, title, and interest thereto belonging to the Grantee, its successors and assigns forever. Grantor covenants to the Grantee that he is lawfully seized and possessed of said land in fee simple, has a good right to convey it and the same is unencumbered except for liens or Deeds of Trust that appear of record on this date. Grantor does further covenant and bind himself, his heirs and representatives, to warrant and forever defend the title to the said land to the Grantee, its successors and assigns against the lawful claims of all persons, whomsoever.

In further consideration of the Grantor's conveyance herein, Grantee hereby declares that the Note secured by the Deed of Trust of record in Book 10848, page 89, Register's Office for Davidson County, Tennessee, is satisfied and canceled.

WITNESS our hands this the 31st day of August, 1999.

GRANTOR:

FRED M. MATHENY

GRANTEE:

BAY FINANCIAL SAVINGS BANK, F.S.B.

By: _____

Title: VICE PRESIDENT

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 FRED M. MATHENY, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 31st day of August, 1999.

Kay M Tenpenny
Notary Public

My Commission Expires:
November 25, 2000

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

Before me, the undersigned, a Notary Public in and for said County and State, aforesaid, personally appeared Clarence H. Herring, with whom I am personally acquainted and who, upon oath acknowledged himself to be the Vice President of BAY FINANCIAL SAVINGS BANK, F.S.B., the within named bargainor, and that as such Vice President, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of BAY FINANCIAL SAVINGS BANK, F.S.B. by the said Clarence H. Herring as such Vice President.

Witness my hand and official seal at Tampa, Florida, this 10th day of August, 1999.

OFFICIAL NOTARY SEAL
CYNTHIA J HAAS
COMMISSION NUMBER
CC546842
MY COMMISSION EXPIRES
APR 10,2000

Cynthia J Haas
Notary Public

My Commission Expires:

_____

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property whichever is greater is $ 99,000.00 . This is equal to or greater than the property would bring at a fair and voluntary sale.

Sworn to and subscribed before me on

this 1st day of ~~August~~ September, 1999.

Notary Public

My Commission Expires:
November 25, 2000

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 11696 PAGE 549

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

11644856

98 OCT -9 PM 3:24

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

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1525870