THIS INSTRUMENT PREPARED BY:
F. B. Murphy, Jr., Attorney
2021 Richard Jones Road, Suite 350
Nashville, Tennessee 37215

Instr:200001260008588 Page: 1 OF 3
REC'D FOR REC 01/26/2000 1:24:34PM
RECORD FEE: $14.00
M. TAX: $0.00 T. TAX: $0.00

| OWNER: | SEND TAX BILLS TO: | MAP & PARCEL NO. |
|---|---|---|
| Christina D. Ned<br>7725 Poplar Ridge Drive<br>Nashville, Tennessee 3221 | Same | 141-6-A-045 |

# QUITCLAIM DEED TO VOID TRUSTEE'S SALE AND CONVEY TITLE BACK TO TRUSTEE

WHEREAS, CHRISTINA D. NED, A SINGLE PERSON (Borrower), by Deed of Trust (the "Deed of Trust") dated July 9, 1999, of record in Book 11571, page 189, Register's Office for Davidson County, Tennessee, conveyed to F. B. Murphy, Jr., Trustee, the hereinafter described real property to secure the payment of a certain indebtedness described in said Deed of Trust, which indebtedness is evidenced by a Promissory Note (the "Note"); and

WHEREAS, demand was made for the payment of the aforesaid indebtedness secured by the Deed of Trust, which indebtedness remained in default; and

WHEREAS, the owner and holder of said Note demanded that the herein described real property be advertised and sold in accordance with the terms and provisions of the Note and Deed of Trust; and

WHEREAS, pursuant to the instructions of the owner and holder of said Note, the Trustee advertised said property for sale in accordance with the terms and provisions of the Deed of Trust, notices of the time and place of said sale having been published in The Nashville Record on November 25, December 2 and December 9, 1999; and

WHEREAS, the Trustee, as required by the terms of the Deed of Trust, offered said property for sale to the highest bidder for cash, at public outcry, at the main (south) door of the Davidson County Courthouse in Nashville, Tennessee, at 11:00 o'clock a.m., on Thursday, December 16, 1999, and Filmar Funding Company, being the highest and best bidder therefor, became the purchaser of the property; and

WHEREAS, unknown to the Trustee at the time of the Trustee's sale, the Borrower had filed a Chapter 13 Bankruptcy petition on December 13, 1999, which filing made the subsequent Trustee's Sale and conveyance from the Trustee to Filmar Funding Company null and void.

NOW, THEREFORE, in order to acknowledge the conveyance from the Trustee to Filmar Funding Company as being null and void, and for purposes of record title, to reconvey title to the Trustee, to be held in accordance with the terms and conditions of the Deed of Trust of record in Book 11571, page 189, said Register's Office, Filmar Funding Company does hereby convey back to F. B. Murphy, Jr., Trustee, the following described real property located in Davidson County, Tennessee:

> Being Lot No. 40 on the Plan of Section Four, Poplar Ridge, a Planned Unit Development, of record in Plat Book 9700, page 119, Register's Office for Davidson County, Tennessee, to which reference is made for a more complete description.

Being the same property conveyed to Christina D. Ned, by deed of record in

Book 11571, page 186, said Register's Office, and further being the same property conveyed to Filmar Funding Company by Trustee's Deed from F. B. Murphy, Jr., Trustee, of record as Instrument No. 199912210305643 in said Register's Office..

By his signature below, F. B. Murphy, Jr., Trustee, indicates his acceptance of this conveyance, to be held under the terms of the deed of trust referenced above as if the prior null and void conveyance to Filmar Funding Company had not occurred.

WITNESS our hands on the date(s) indicated below.

FILMAR FUNDING COMPANY

Filbert J. Martocci, Jr., Owner

Date: 1-20-2000

F. B. Murphy, Jr., Trustee

Date: 1-18-00

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STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $0.00 (None).

Affiant

Subscribed and sworn to before me this 18th day of January, 2000.

Notary Public

My Commission Expires: 7/27/2002

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STATE OF TENNESSEE )
COUNTY OF WILLIAMSON )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Filbert J. Martocci, Jr., the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he is the owner of Filmar Funding Company, a sole proprietorship, and that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 20th day of January, 2000.

Dennis R. Spain
Notary Public

My Commission Expires: DENNIS R. SPAIN Notary Public, Williamson Co., TN My Comm. Expires Aug. 25, 2003

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, F. B. Murphy, Jr., the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 18th day of January, 2000.

Notary Public

My Commission Expires: 7/27/2002