Davidson County DEEDTRS
Recvd: 08/27/04 09:40 2pgs
Fees:13.00 Taxes:90.00
20040827-0103749

Name and address of owner:
**Roger P. Hogan and**
**Barry T. Fly**
P.O. Box 40202
NASH. TN 37204

Send tax bills:

**Same**

Prepared by:
**David G. Mangum, Attorney**
**2012 Eighth Avenue South**
**Nashville, TN 37204**

**MAP/PARCEL: 105-07-0 065.00**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under an Installment Deed dated June 24, 1998, recorded in Book 10994, page 450, Register's Office, Davidson County, Tennessee, Paul Durham conveyed to Andrew B. Gibson, Jr., a resident of Williamson County, TN, as Trustee, the hereinafter described property to secure the therein mentioned indebtedness; and

WHEREAS, said Installment Deed was assigned from Tommy Paysinger and wife, Marceline Paysinger to Spain Enterprises, L.L.C. by Assignment dated July 10, 1998 and filed in Book 11042, page 142, said Register's Office; and

WHEREAS, by instrument dated July 15, 2004, recorded in Instrument No. 20040716-0085508, said Register's Office, the lawful owner and holder of the indebtedness described in and secured by the aforementioned Deed of Trust, nominated and appointed David G. Mangum as Substitute Trustee; and

WHEREAS, default having been made in the terms, conditions, and payments made and provided for in said Installment Deed, and the lawful owner and holder of said indebtedness having declared the entire debt and interest due and payable; and

WHEREAS, the lawful owner and holder of said indebtedness having requested David G. Mangum, Substitute Trustee, to sell said property in satisfaction of the indebtedness; and

WHEREAS, I, David G. Mangum, Substitute Trustee, did give 22 days notice of the time, place and terms of the sale by an advertisement in three weekly publications in *The Nashville Business Journal*, a newspaper published in Davidson County, Tennessee, said advertisement appearing in the editions of said newspaper under the dates of July 23, July 30, and August 6, 2004, stating that on Friday, August 13, 2004 at 12:00 o'clock Noon, at the main entrance to the Old Ben West Library Building, 225 Polk Avenue, Downtown Nashville, Davidson County, Tennessee, said property hereinafter described would be sold to the best and highest bidder for cash at public outcry, free from the equity of redemption, homestead, dower, and all other exemptions which are expressly waived in said Installment Deed, but subject to any and all unpaid real estate taxes; and

WHEREAS, on said date at the time and place stated in said advertisement, and on said terms, I, David G. Mangum, Substitute Trustee, offered said property for sale at public outcry and sold said property to **Roger P. Hogan and Barry T. Fly**, as tenants in common, their heirs and assigns, for **$24,324.00**, which amount was the highest, best, and last bid.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE SUM of the highest, best, and last bid, as set out above, cash in hand paid, the receipt of which is hereby acknowledged, I, David G. Mangum, Substitute Trustee, do hereby bargain and sell, and by these presents transfer and convey unto the said **Roger P. Hogan and Barry T. Fly,** as tenants in common, (hereinafter referred to as Grantee), their heirs and assigns, the following described

property situated and lying in Davidson County, Tennessee, and more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 24 on the Plan of Humphrey's Houston and Martin's Addition to South Nashville, as of record in Plat Book 1, page 35, Chancery Court at Nashville, and Book 36, page 117, Register's Office for said County.

SAID Lot No. 24 fronts 50 feet on the southerly side of Humphrey's Street and runs back between parallel lines along the eastern margin of Hagan Street 150 feet to an alley.

DEED REFERENCE:
BEING the same property conveyed to Roger Fusse by Decree of Redemption of record in Instrument No. 20040714-0084135, Register's Office for Davidson County, Tennessee.

MAP/PARCEL: 105-07-0 065.00
PROPERTY ADDRESS: 493 Humphreys Street, Nashville, TN 37203, as shown on the tax maps of the Assessor of Property for Davidson County, TN.

SUBJECT to any and all existing easements, setback lines and restrictive covenants of record in said Register's Office.

TO HAVE AND TO HOLD said property with the appurtenances, estate, title, and interest thereto belonging to said Grantee, its successors and assigns forever, but subject to said real estate taxes and aforementioned Deed of Trust.

And I do further transfer and assign unto the said Grantee all the rights and benefits of the covenants and warranties in said Installment Deed in as full and ample manner as under it, I can or should do, but I convey and assign as Trustee and not any further or otherwise.

WITNESS my hand on this the ~~17th day of August, 2003.~~

**David G. Mangum**, ~~Substitute Trustee~~

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **David G. Mangum**, Substitute Trustee, 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, on this the 17th day of August, 2004.

Kay E Farmer
Notary Public

My Commission Expires: 7/29/06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $24,324.00.

Affiant

Subscribed and sworn before me, this 17th day of August, 2004.

Kay E Farmer
Notary Public

My Commission Expires: 7/29/06
File #59195