THIS INSTRUMENT WAS PREPARED BY:
SAMUEL F. ANDERSON, ATTORNEY AT LAW
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Davidson County DEEDWARR
Recvd: 01/04/07 12:03 4 pgs
Fees:18.00 Taxes:536.89
20070104-0001680

DEED IN LIEU OF FORECLOSURE

AND RELEASE OF LIEN

THIS DEED OF CONVEYANCE and release of mortgage is made and entered into this 2nd day of January, 2007, by and between Victoria Troxler (hereinafter referred to as the "Grantor") and Nell A. Barnes (hereinafter referred to as the "Grantee").

W I T N E S S E T H:

WHEREAS, on November 2, 2006, Victoria Troxler executed that certain Deed of Trust Note payable to the order of Nell A. Barnes in the original principal sum of One Hundred Forty Three Thousand Five Hundred 00/100 ($143,500.00) Dollars; and

WHEREAS, on November 2, 2006, the said Victoria Troxler also executed that certain Deed of Trust conveying to Samuel F. Anderson, Trustee, the hereinafter described real property to secure the payment of said note; and

WHEREAS, said Deed of Trust is properly recorded in Instrument No. 20061113-0140378, Register's Office for Davidson County, Tennessee; and

WHEREAS, Nell A. Barnes is now the lawful owner and holder of said Deed of Trust Note with full power and authority to discharge same and to discharge and release the mortgage lien granted in said Deed of Trust; and

WHEREAS, the balance of the indebtedness due on said Deed of Trust Note is $145,106.40; and

WHEREAS, the said Victoria Troxler, the Grantor, acknowledges herself to be in default and unable to pay the balance of said indebtedness; and

WHEREAS, the Grantor and the Grantee have agreed that the fair market value of said real property, together with all of the improvements thereon, is equal to or less than the balance of the indebtedness due on said Deed of Trust Note; and

WHEREAS, the Grantor desires to be released from the terms, requirements and payment described and referred to in said Deed of Trust and Deed of Trust Note; and

WHEREAS, the Grantor has agreed to transfer to Nell A. Barnes ("Grantee") the hereinafter described real property in consideration for a full and absolute release from any and all current or future liability or obligation to the terms, requirements and payment described and referred to in said Deed of Trust and Deed of Trust Note; and

WHEREAS, Nell A. Barnes has agreed to forever release and discharge the Grantor from any and all current and future liability or obligations to the terms, requirements and payment described and referred to in said Deed of Trust and Deed of Trust Note in consideration for the transfer and conveyance of said real property to Nell A. Barnes, the Grantee;

NOW THEREFORE, in consideration of the terms, conditions, covenants and agreements both hereinbefore and hereinafter mentioned, and the mutual benefits to be derived to all the parties by the execution of this instrument of conveyance and release;

Nell A. Barnes hereby releases and forever discharges Victoria Troxler, from any and all current and future liability, obligation, terms, requirements and payments described and contained in that certain Deed of Trust Note dated November 2, 2006, in the original principal sum of One Hundred Forty Three Thousand Five Hundred 00/100 ($143,500.00) Dollars and that certain Deed of Trust dated November 2, 2006, and recorded in Instrument No. 20061113-0140378, Register's Office for Davidson County, Tennessee; and simultaneously with such release;

I, Victoria Troxler, the Grantor, hereby transfer and convey unto the Nell A. Barnes, the Grantee, her heirs and assigns, that certain parcel of land situated in Davidson County, Tennessee, and described as follows:

> Land in Davidson County, Tennessee, being Lot No. 273 on the plan of Caldwell Country Estates, Section V, as of record in Book 3300, page 16, in the Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Victoria Troxler by deed from Nell A. Barnes of record in Instrument No. 20061113-0140377, Register's Office for Davidson County, Tennessee.

To have and to hold said parcel of land together with the appurtenances, estate, title and interest thereto belonging unto the said Nell A. Barnes, the Grantee, her heirs and assigns forever.

The Grantor warrants, covenants and represents that she is lawfully seized of said property, that she has the full right, power and authority to convey same and that said property is free and clear of all liens, and encumbrances except for applicable zoning laws, restrictive covenants, easements of record and the state and county real property tax for the year 2007. It is expressly agreed and understood that the real property taxes for the year 2007, are a lien not yet due and payable, is assumed by the Grantee.

IN WITNESS WHEREOF, the parties hereto have executed this deed of conveyance and release by subscribing hereto their respective signatures all as of the date aforesaid.

GRANTOR

VICTORIA TROXLER

GRANTEE

NELL A. BARNES

STATE OF TENNESSEE )
COUNTY OF ~~DAVIDSON~~ Rutherford )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, VICTORIA TROXLER, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 03 day of January, 2007.

My Commission Expires:
4.21.09

LINDA M. BURKS
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

NOTARY PUBLIC

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, NELL A. BARNES, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 4th day of January, 2007.

My Commission Expires:

11/14/09

LAURI A. BEASLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Lauri A. Beasley
NOTARY PUBLIC

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value whichever is greater, for this transfer is $145,106.40.

AFFIANT

Subscribed and sworn to before me this 4th day of January, 2007.

My Commission Expires:

11/14/09

LAURI A. BEASLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Lauri A. Beasley
NOTARY PUBLIC

Address of New Owner:
Send Tax Bills To:

Nell A. Barnes
3 Portrush Court
Brentwood, TN 37027

Map 147-10 Parcel 28