The actual consideration of value, whichever is greater, for this transfer is $ 48,000

Affiant

Sworn to and subscribed before me this 15th day of December, 2004.

NOTARY PUBLIC

My Commission Expires: 5-22-13

ROBERT F. SPANN NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

Davidson County DEEDWARR
Recvd: 01/26/09 11:46 2 pgs
Fees:13.00 Taxes:177.60
20090126-0006562

DEED IN LIEU OF FORECLOSURE

ADDRESS - NEW OWNER	SEND TAX BILLS TO:	MAP/PARCEL NUMBER:
Johny Burroughs, etux	Same	Map 82-3
2409 Lloyd Avenue		Parcel 127
Nashville, TN 37218		

THIS INDENTURE made this 15th day of November, 2004, by and between **Derrick Clendening** , hereinafter called "Grantor", and **Johnny Burroughs and wife, Linda Burroughs**, their successors and assigns, hereinafter called "Grantee".

WITNESSETH

FOR AND IN CONSIDERATION OF the sum of Ten Dollars ($10.00), cash in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the Grantor has bargained and sold, and by these presents, does transfer and convey unto the said Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows to wit:

> Being Lot No. 7 on the Plan of W. T. Fitzpatrick's Subdivision of certain lots in the Benedict Land Company's Subdivision, of record in Book 421, page 76, Register's Office for Davidson County, Tennessee, to which plat reference is here made for a more complete and accurate description.
>
> Being the same property conveyed to Derrick Clendening by deed from Johnny Burroughs and wife, Linda Burroughs, of record in Instrument No. 20041006-0120521, Register's Office for Davidson County, Tennessee.
>
> This is improved property known as 1011 North 2nd Street, Nashville, TN 37207.
>
> This conveyance is made subject to all matters appearing on the plan of record in Plat Book 421, page 76, Register's Office for Davidson County, Tennessee

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns forever. I covenant with the said Grantee that I am lawfully seized

and possessed of said land in fee simple, have a good right to convey it, and that the same is unencumbered except as otherwise herein set out.

I further covenant and bind myself, my heirs and representative, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all persons, whomsoever.

It is agreed by and between the parties hereto that this deed is an absolute conveyance of any and all title in effect as well as in form, and is not intended as a mortgage, trust conveyance or security of any kind. It is further understood by and between the parties that the consideration for this transfer, in addition that herein above set forth, is the full and absolute release of all debts, obligations and charges heretofore existing on account of and in accordance with the terms of a certain Deed of Trust executed by **Derrick Clendening** to **Robert F. Spann**, Trustee, and securing a certain debt and/or indebtedness to **Johnny Burroughs and wife, Linda Burroughs**. Said Deed of Trust is dated April 1, 2004, and is recorded in Instrument No. 20041006-0120522, Register's Office for **Davidson** County, Tennessee.

It is further understood by and between the parties that the express purpose of this conveyance is to completely satisfy the obligation, evidenced by the deed of trust note, and to terminate the lien which exists through the Deed of Trust and the note secured thereby, and any effect thereof in all respects.

Derrick Clendening

Derrick Clendening

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 **Derrick Clendening** 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, the 15th day of November, 2004.

ROBERT F. SPANN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Robert F. Spann

NOTARY PUBLIC

My Commission Expires: _____