THIS INSTRUMENT PREPARED BY:

Michael Gigandet, Attorney
208 Centre St.
Pleasant View, Tenn. 37146
615-746-4949
Fax: 615-746-4950

Karen Johnson Davidson County
Batch# 537204 DEEDWARR
12/17/2020 01:48:30 PM 9 pgs
Fees: $48.00 Taxes: $1,510.81
20201217-0149602

Address New Owner:
Arvin Harbehband
6192 Mt. Pisgah Road
Nashville, TN 37211

Send Tax Bills To:
New Owner
6192 Mt. Pisgah Road
Nashville, TN 37211

Map/Parcel No.
172140 B 24600C0

35903

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: MATTHEW SHOEMAKER and MARY SHOEMAKER, Debtors.	CASE NO. 20-01497-MH3-7 CHAPTER 7 JUDGE MARIAN HARRISON

TRUSTEE'S DEED

For and in consideration of the sum of FOUR HUNDRED AND EIGHT THOUSAND THREE HUNDRED TWENTY SIX DOLLARS AND 60/100 ($408,326.60) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, I, Michael Gigandet, Trustee for the Bankruptcy Estate of MATTHEW SHOEMAKER and MARY SHOEMAKER, Case No. 20-01497-MH3-7, in the United States Bankruptcy Court for the Middle District of Tennessee, hereby bargains, sells and conveys unto ARVIN HARBEHBAND,* all of my interest in the following described property, a house and lot located at 6192 Mount Pisgah Road, Nashville TN 37211, in DAVIDSON COUNTY, TENNESSEE, to wit:

Land in Davidson County, Tennessee, being Lot 175, on the Plan of WINFIELD PARK, PHASE 2, SECTION 2, as shown on shown on plat of record in Instrument No. 20030422-0052787, the Register's Office, Davidson County, Tennessee, to which plat reference is hereby

*Unmarried

made for a more particular description of said property.

Being the same property conveyed to Mary Carroll Shoemaker and Matthew Shoemaker, wife and husband, by deed dated November 30, 2006 from Hamid Toloogolzari and Azadeh Jafari Shahhosseini of record in Instrument No. 20070117-0006662, Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD all of my interest in the said tracts or parcels of real property, with all of my interest in the appurtenances, buildings, structures, improvements, fixtures, estate, title and interest thereto belonging to MATTHEW SHOEMAKER and MARY SHOEMAKER, their successor and assigns forever. Grantor conveys said property pursuant to Order Approving Sale of Property entered on October 22, 2020, (see Exhibit A), the trustee's motion to sell property having been previously sent to all creditors and parties in interest on September 28, 2020 (see Exhibit B).

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this 9 day of December, 2020.

Michael Gigandet, Chapter 7 Trustee
for the Bankruptcy Estate of
MATTHEW SHOEMAKER and MARY SHOEMAKER
Case No. 20-01497-MH3-7

STATE OF TENNESSEE)
COUNTY OF CHEATHAM)

Personally appeared before me, the undersigned, a Notary Public in and for the said State and County, Michael Gigandet, Trustee, the within named bargainer, 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 Pleasant View, Tennessee this 9th day of December, 2020.

Janet Butler Gigandet
Notary Public

JANET BUTLER GIGANDET
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY

My Commission Expires: 05-04-2021

STATE OF TENNESSEE)
COUNTY OF CHEATHAM)

This actual consideration or value, whichever is greater, for this transfer is $408,326.60.

Affiant

Subscribed and sworn to before me
this 9th day of December, 2020.

Janet Butler Gigandet
Notary Public

JANET BUTLER GIGANDET
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY

My Commission expires: 05-04-2021

Marian F. Harrison
US Bankruptcy Judge

Dated: 10/21/2020

Exhibit A

Attest:
A True Copy
Certified this 12-7-2020
U.S. Bankruptcy Court
By Karen N. Harris
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: MATTHEW SHOEMAKER and MARY SHOEMAKER, Debtors.	CASE NO. 20-01497-MH3-7 CHAPTER 7 JUDGE MARIAN HARRISON

AGREED ORDER RESOLVING LIMITED OBJECTION TO MOTION TO SELL

It appearing to the Court, as evidenced by the signature of counsel for the parties below, that the parties are agreed that the limited objection of Fifth Third Bank to the Chapter 7 trustee's motion to sell should be resolved;

It further appearing that the parties are agreed that the Chapter 7 trustee shall be entitled to sell the subject real estate asset as per his motion to sell, and that the parties are agreed that the trustee will not sell the subject real estate as a "short sale" or in an amount not sufficient to satisfy the secured claims of Fifth Third Bank in full as of the date of closing of said sale.

It is **THEREFORE ORDERED, ADJUDGED AND DECREED** that the limited objection of Fifth Third Bank to the trustee's motion to sell shall be and is hereby resolved.

This order was signed and entered electronically as indicated at the top of the first page.

APPROVED FOR ENTRY:

SPINA & LAVELLE, PC
Paul J. Spina, III

Paul J. Spina, III
1 Perimeter Park south
Suite 400N
Birmingham, AL 35243
205-298-1800 Office
205-909-3436 Direct

205-298-1801 Fax
pspina@spinalavelle.com

LAW OFFICE OF MICHAEL GIGANDET
/s/ Michael Gigandet

Michael Gigandet, Trustee #011498
208 Centre Street
Pleasant View, TN 37146
Phone: (615) 746-4949
Fax: (615) 746-4950
michael@mgigandet.com

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.

Exhibit B

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: MATTHEW SHOEMAKER and MARY SHOEMAKER, Debtors.	CASE NO. 20-01497-MH3-7 CHAPTER 7 JUDGE MARIAN HARRISON

TRUSTEE'S MOTION TO SELL PROPERTY

Comes now Michael Gigandet, the duly appointed Chapter 7 trustee, and moves this Court for an order to sell property of the debtor as outlined below:

DESCRIPTION OF PROPERTY:	House and lot. Real estate located at 6192 Mount Pisgah Road, Nashville, TN 37211, Tax ID 172-14-0B-246.00-CO.
DATE AND TIME:	Bidding opens at www.mclemoreauction.com on October 10, 2020 and runs through October 31, 2020.
TYPE OF SALE:	On-line auction
TERMS OF SALE:	15 percent non-refundable deposit to be collected at conclusion of auction. A 10 percent buyer's premium will be added to the highest bid price. Closing within thirty (30) days.
Liens:	Fifth Third Bank asserts two secured claims.

ANY VALID AND PROPER LIEN WILL ATTACH TO THE PROCEEDS OF THE SALE. TRUSTEE WILL CONVEY TO BUYER BY APPROPRIATE INSTRUMENT, THE RIGHT, TITLE AND INTEREST THAT TRUSTEE HAS THE RIGHT TO CONVEY. PROCEEDS OF THE SALE WILL BE SUBJECT TO AGENT FEES AND EXPENSES, IF ANY, AND ATTORNEY FOR TRUSTEE FEES AND EXPENSES.

Debtor's Statutory Exemption: The debtors are claiming an exemption from the sale of any of this property.

The trustee is verifying with both the Internal Revenue Service and the Tennessee Dept. of Revenue that they have no secured tax liens against this debtor.

The sale of the property is being made free and clear of any interest in the property held by an entity other than the estate pursuant to 11 U.S.C. Section 363(f) because either: (1) applicable non-bankruptcy law permits the sale of the property free and clear of such interest; (2) such entity consents to the sale; (3) such interest is a lien and the price at which the property is to be sold is greater than the aggregate value of all liens on such property; (4) such interest is in bona fide dispute; or (5) such entity could be compelled, in a legal or equitable proceedings, to accept a money satisfaction of such interest.

Any party who objects to the motion to sell must file any response or objection electronically pursuant to the 9013 Notice of this Motion to Sell that has been filed and served with this motion. In the absence of a timely filed objection to this Motion to Sell, or, in the absence of a timely upset bid (as detailed below) the court may enter an order approving this Motion to Sell without further notice or hearing.

If a bidder at the auction objects to the Trustee's selection of the Winning Bidder, then that bidder may submit a bid under protest at the auction and shall have standing to object to the Trustee's selection of the Winning Bidder. The Trustee shall notify the Court of the objection to the Trustee's selection of the Winning Bidder and the Court shall hold a hearing on the objection.

If for any reason the Winning Bidder fails to consummate the sale of the Property, the offeror of the second highest or best bid (subject to the same reservations) will automatically be deemed to have submitted the highest and best bid, and the Trustee is authorized to effect the sale of the Property to such offeror without further order from the bankruptcy court. If such failure to consummate the purchase of the Property is the fault of the Winning Bidder, the Winning Bidder's deposit, if any, shall be forfeited to the Trustee, and the Trustee specifically reserves the right to seek all available damages from the defaulting bidder.

The Trustee reserves the right to: (1) impose, at or before the auction, additional terms and conditions on a sale of the Property; (2) extend the deadlines from those set forth herein, adjourn the auction at the auction; (3) withdraw the Property, or any part of the Property, from sale at any time before or during the auction, and to make subsequent attempts to market the same; and (4) reject all bids if, in the Trustee's reasonable judgment, no bid is for a fair and adequate price.

It is anticipated that there is sufficient equity in the property to pay all 506(c) expenses.

WHEREFORE, the Trustee requests that the Court enter an Order, submitted by the Trustee, in the absence of any timely filed objection to the sale motion, which:

1. Authorized the Trustee to sell the Property;

2. Approves the sale of the Property pursuant to 11 U.S.C. Section 363(b), (f), (h), (m) and Fed. R. Bankr. P. 6004;

3. Declares that all liens against the Property attach to the proceeds of the sale;
4. Approves the payment of sale proceeds to; (1) the costs of sale; (2) the satisfaction of liens in the Property in order of priority, (3) the satisfaction of any co-owner's interest; and (4) the satisfaction of the debtor's exemption in the property.

5. Waiving the 10-day stay of the order approving the sale under Fed. R. Bankr. P. 6004(h);

6. And for such other relief as the Court may deem proper.

Respectfully submitted,

LAW OFFICE OF MICHAEL GIGANDET

/s/ Michael Gigandet

Michael Gigandet, #011498
Attorney for Trustee
208 Centre St.
Pleasant View, TN 37146
(615) 746-4949
Fax: (615) 746-4950
michael@mgigandet.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded by U. S. Mail, 1st class postage prepaid, to the U. S. Trustee's Office, 318 Customs House, 701 Broadway, Nashville, TN 37203, to the debtors, to the debtors' attorney and to all creditors and all interested parties, per the mailing matrix attached to and filed with the original of this document, on this the 28th day of Sept. 2020.

/s/ Michael Gigandet

Michael Gigandet, Trustee

TRUE COPY CERTIFICATION

I, GEORGE E. MUDTER, JR., do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document and authenticated according to law.

GEORGE E. MUDTER, JR.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, Stacy L. Thomas, a Notary Public for this County and State, George E. Mudter, Jr., who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature
My Commission Expires: October 2, 2023
Notary Seal:

