

VOL 1474 PAGE 448

the tenants at will of the purchaser at the sale.

In the event of the inability or refusal of the Trustee to act when action may be required, or for any other reason sufficient to the Beneficiary, with or without cause, the Beneficiary is authorized to appoint a successor to execute this trust, in whole or in part, and without notice to either the Trustee or Grantor, in which successor shall be vested as necessary all title, powers and authority vested in the Trustee named herein. Such appointment shall be in writing and shall be registered in the Register's Office of Hamilton County, Tennessee. All parties at interest agree that no formal resignation, declaration of refusal to act, or proof of inability to act shall be required.

In addition to the power of sale above provided, or if such power of sale shall be in conflict with any applicable law, the Beneficiary shall have the right to proceed in a court of equity, or any other proper court, to foreclose this Deed of Trust, and shall be entitled to judgment for its debt and any advances lawfully made by it under the provisions of this Deed of Trust. Beneficiary shall also be entitled to the appointment of a receiver to collect rents, issues, and profits while such suit is pending and to judgment over, as its interests may appear, for any difference between the amount paid for the property either at a Trustee's sale or at a sale under order of the Court, and the total indebtedness accrued under the provisions of this instrument.

The unenforceability or invalidity of any provision or

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