Davidson County DEEDTRS
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20020222-0022828

This instrument prepared by:

Kleinsmith & Associates, P.C.
6035 Erin Park Drive
Colorado Springs, Co 80918

BOOK NO. 11564, PAGE NO. 550, INST. NO. 0609396

Responsible Taxpayer and Property Owner:
Tax Parcel No. 173-01-0/198.0

Name:	Address:
Marty L. Penix and James L. Deatrick, Jr.	1285 N. Mt. Juliet Rd. Mt. Juliet, TN 37122

Common Description: 296 Cedar Creek Dr.
Nashville, TN 37211

Legal Description: Being Lot Number 46-A, Zone Lot Division, Lots Nos. 45 and 46, Monte Carlo, Section 4 (See attached Exhibit "A").

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is $31,500.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, this 23rd day of August, 2001.

Rowena Cozart
Notary Public
My Commission Expires: 4/27/03.

ROWENA COZART NOTARY PUBLIC STATE OF COLORADO

SUCCESSOR TRUSTEE'S DEED

My Commission Expires 04/27/2003

Whereas, by virtue of the power and authority vested under that Deed of Trust executed by **Mendi Hunley and Billy D. Wells** dated **6/28/99** and recorded **7/8/99** in Book **11564** at Page **575**, Register's Office of Davidson County, Tennessee, given to secure

payment of a certain indebtedness evidenced by a promissory note set forth therein, payable to the order of **The Money Centre, Inc.** default having been made in the performance of the terms and provisions of the Deed of Trust, demand having been made upon the said Debtor for payment in accordance with the provisions of the Deed of Trust, default having been made in the payment upon demand, said indebtedness described by the said Deed of Trust having been declared to be due and payable in accordance with the terms thereof, said default continuing without reinstatement, at the request of Holder of the note for the purpose of effecting payment of all sums due under the terms of the note and Deed of Trust, principal interest and costs of sale, Philip M. Kleinsmith, Trustee, did on Thursday, **August 23, 2001** at 10:00 a.m. pursuant to the advertisement published in the **Nashville Record News** and sent by mail to the Debtor and lienors of record, offer for sale, at **Front Door of the Davidson County Courthouse, Nashville, TN** in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale **Marty L. Penix and James L. Deatrick, Jr.** became the highest and best bidder(s) at and for the sum of **$31,500.00** and

WHEREAS, the proceeds of the sale were sufficient to satisfy all sums of principal, interest, attorney fees, costs and other sums accruing under the terms of the aforesaid Deed of Trust.

NOW THEREFORE, Philip M. Kleinsmith, Trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer , and convey unto **Marty L. Penix and James L. Deatrick, Jr.**, Grantee, the following described real estate, to wit:

See attached Exhibit "A"

To HAVE AND TO HOLD said described real estate unto the Grantee, his successors and assigns, forever in fee simple

Sale was advertised and made as Trustee only, without covenants or warranties of title, express or implied, subject to any governmental zoning or subdivision ordinances in effect thereon and this conveyance is so made. However, Grantor, as Trustee, but not otherwise, hereby assigns and sets over to Grantee all of the

covenants and warranties contained in the Deed of Trust recorded in Book **11564**, Page **575**., referred to therein.

IN WITNESS WHEREOF, Philip M. Kleinsmith, Trustee, has caused these presents to be executed this 23rd day of August, 2001.

PHILIP M. KLEINSMITH, Trustee

STATE OF COLORADO)
COUNTY OF EL PASO)

Before me, Rowena Cozart, a Notary Public , duly appointed, commissioned, and qualified in and for the State and County aforesaid, personally appeared Philip M. Kleinsmith with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

This the 23rd day of August, 2001.

Notary Public

My Commission Expires: 4/27/03.

ROWENA COZART
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires
04/27/2003

K 11564

EXHIBIT A

Being Lot Number 46-A, Zone Lot Division, Lots Nos. 45 and 46, Monte Carlo, Section 4, of record in Plat Book 5200, page 780, amending Plat Book 5800, page 242, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to Mendi Hunley by Deed from Carl Saine and wife, Shirley Ann Saine, dated 6/28 and recorded 11564 in Book 547, page _____, Register's Office for Davidson County, Tennessee.

MH
BDW