PICK-UP

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
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Davidson County DEEDTRS
Recvd: 02/26/04 11:13 2pgs
Fees:13.00 Taxes:177.97
20040226-0021866

Name: Robert L. Huey
S&K#: 03-3610
Loan#: 8014167020

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 30, 1998, recorded in Book 10781, Page 846 and re-recorded in Instrument Number 20031212-0178389, Register's Office of Davidson County, Tennessee, Robert L. Huey, conveyed to Guaranty Title Company, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20040106-0001881, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on February 4, 2004, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 a.m.; and,

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to CHERRY TREE PROPERTIES, whose address is 1224 5th Avenue N, Nashville, TN 37208, at and for the sum of $48,100.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by CHERRY TREE PROPERTIES, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Denise Griffin, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said CHERRY TREE PROPERTIES, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Being the northerly 44 feet of the southerly 45.5 feet of Lot Number 27, D.T. McGavock's plan of 98 lots, also called D.T. McGavock's 2nd Addition, as of record in Book 21, Page 7, register's Office for said county.

Said part of said lot fronts 44 feet on the easterly side of Fourth Avenue, north, formerly Cherry Street, and runs back between parallel lines 174 feet to an alley.

This legal description is identical with that in Trust Deed recorded in Book 10781, Page 846 and re-recorded in Instrument Number 20031212-0178389, Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 10781, Page 846 and re-recorded in Instrument Number 20031212-0178389, Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Book 10469, Page 252, Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto CHERRY TREE PROPERTIES, its successors and assigns, in fee simple forever, to whom the said Denise Griffin, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Denise Griffin, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Denise Griffin
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 4th day of February, 2004, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Denise Griffin, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at Office the day and year above written.

JENA B. SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN

12/20/05
My commission expires:

Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $48,100.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $48100
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 26th DAY OF February 20 04.
Deputy Register

Affiant

he _____, day of _____, 2004.

My commission expires:

Notary Public

PROPERTY ADDRESS: 1720 B 4TH AVENUE NORTH, NASHVILLE, TN 37208

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
CHERRY TREE PROPERTIES
1224 5th Avenue N
Nashville, TN 37208

S & K #:03-3610
Map & Parcel – 82-5/80

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.