PICK-UP

Davidson County DEEDTRS
Recvd: 03/23/04 13:49 4pgs
Fees:23.00 Taxes:20.35
20040323-0032745

**This Instrument Prepared By:**
**BONE MCALLESTER NORTON PLLC**
**511 Union Street, Suite 1600**
**Nashville, Tennessee 37219**

| Address New Owner(s): | Send Tax Bills To: | Map & Parcel Nos.: |
|---|---|---|
| **CB Investments LLC**<br>**4525 Harding Road**<br>**Suite 257**<br>**Nashville, TN 37205** | **New Owner** | **093-16-0-359.00** |

## TRUSTEE'S DEED

**WHEREAS**, default was made in the terms, conditions and payments provided for and made in a Deed of Trust dated January 31, 2002, executed by Robert Gregg Poole, to Clyde F. Ingalls, Trustee, of record in at Instrument #20020228-0025397, Register's Office for Davidson County, Tennessee; and

**WHEREAS**, First Tennessee Bank National Association, the owner and holder of the indebtedness secured by said Deed of Trust of record at Instrument #20020228-0025397, Register's Office for Davidson County, Tennessee, replaced said Trustee by naming Sam J. McAllester, III, and J. Evan Gower as Substitute Trustees by an instrument of record at Instrument #20040112-0004588, Register's Office for Davidson County, Tennessee, and authorized either of them to act alone with the powers given the Trustee in said Deed of Trust; and

**WHEREAS**, Sam J. McAllester, III, Substitute Trustee, caused said real property to be advertised in accordance with the provisions of said Deed of Trust, advertising that said property would be sold at 10:00 o'clock A.M., prevailing time on Friday, March 19, 2004, at the front door of the entrance to the Office of the Davidson County Register of Deeds at the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County,

Tennessee, to be knocked off and sold to the highest, best and last bidder for cash, and free from the equity of redemption, homestead, dower, and all other exemptions as provided in said Deed of Trust; but subject to any and all mortgages, liens, claims, and unpaid taxes which may be a lien against said property; and

**WHEREAS**, the Substitute Trustee personally appeared and offered said property for sale at public outcry and the highest, best and last bid received was the sum of Five Thousand Five Hundred and No/100 Dollars ($5,500.00) by CB Investments LLC, a Tennessee limited liability company (hereinafter referred to as the "Grantee") and said property was knocked off and sold to the Grantee.

**NOW, THEREFORE**, in consideration of the premises and sum of Five Thousand Five Hundred and No/100 Dollars ($5,500.00) cash in hand paid by the Grantee, Sam J. McAllester, III, Substitute Trustee, has this day bargained and sold and, by the premises, does transfer and convey to Grantee, its/their heirs and assigns, a certain tract or parcel of land situated in Davidson County, Tennessee, and described as follows:

> Being the S ½ of Lot No. 8, Block "C" on the Plan of The Hermitage Addition, as of record in Plat Book 57, page 43, Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete and accurate legal description thereof.
>
> Being the same property conveyed to R. Gregg Poole by deed from Hugh Trigg and wife, Cathy K. Trigg, of record in Instrument No. 20020131-0013881, Register's Office for Davidson County, Tennessee.

The street address of the property is believed to be 83 Donelson Street, Nashville, Davidson County, Tennessee 37210, but such address is not part of the legal description of the property. In the event of any discrepancy, the legal description herein shall control.

This property is sold AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE

PROPERTY IS TO BE SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee, its/their heirs, successors, and assigns forever.

And the Substitute Trustee covenants with the said Grantee that he is lawfully seized and possessed of said real property as Substitute Trustee only and, by the terms of the above-mentioned Deed of Trust, has a good right to sell and convey the same and that same is unencumbered except for any and all mortgages, liens, claims, and any and all unpaid taxes that may be a lien against said real estate.

The Substitute Trustee further covenants and binds himself/his successors and assigns, to warrant and forever defend the title to said real estate to the Grantee, its/their heirs and assigns, against the lawful claims of any persons claiming by or through him as Substitute Trustee, but no further or otherwise; it being the intention of the Substitute Trustee only to convey to Grantee no greater title in the subject real estate than he received as Substitute Trustee and that, as Substitute Trustee, he has the right to sell and convey.

This sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior encumbrances that may exist against

the property. This sale is also subject to any matter that an accurate survey of the premises might disclose.

Witness my hand this 23 day of March, 2004.

Sam J. McAllester, III, Substitute Trustee

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, Kimberley R. Mankin, a Notary Public of this county, Sam J. McAllester, III, Trustee, the within named bargainor, 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, at office, this 23 day of March, 2004.

NOTARY PUBLIC

My Commission Expires: 9-30-2006

KIMBERLEY R. MANKIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $5,500.00.

AFFIANT

Subscribed and sworn before me on this 23rd day of March, 2004.

NOTARY PUBLIC

My Commission Expires: 9-30-2006

KIMBERLEY R. MANKIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.