PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

Davidson County DEEDTRS
Recvd: 09/07/04 15:43 2pgs
Fees:12.00 Taxes:0.00
20040907-0108011

Tennessee VA

Name: Bryan G. Tobey, and wife, Deborah D. Tobey
S&K#: 04-0251
VA #: LH-202060478617
Loan#: 9000046714

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 22, 1999, recorded in Book 11452, Page 247, Register's Office of Davidson County, Tennessee, Bryan G. Tobey and Deborah D. Tobey, husband and wife conveyed to Fidelity National Title Insurance Company of NY, 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 20040630-0077662, 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 August 11, 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 Mortgage Electronic Registration Systems, Inc., whose address is EverHome Mortgage Company F/K/A Alliance Mortgage Company, 8120 Nations Way, Building 100, Jacksonville, Florida 32256, at and for the sum of $174,057.00, that being the highest and best bid offered; and,

WHEREAS, the said Mortgage Electronic Registration Systems, Inc. has assigned its interests in the said property to Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns; and,

WHEREAS, the purchaser, being the holder of the indebtedness 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 Mortgage Electronic Registration Systems, Inc., 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 Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns; his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Hermitage, County of Davidson, State of Tennessee, to-wit:

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

Lot Number 69 on The Plan of First Revision of the Peninsula, A Planned Residential Development, of record in Plat Book 9700, Page 8, Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

This legal description is identical with that in Trust Deed recorded in Book 11452, Page 247, 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 11452, Page 247, Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed recorded in Book 10239, Page 987, Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines, easements and any other matter of record.

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 Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns; his 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 11th day of August, 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.

12/20/05
My commission expires:

Amanda D. Collins
Notary Public

AMANDA D. COLLINS NOTARY PUBLIC AT LARGE SHELBY CO., TN
My Comm. Exp. 12-20-05

NO TAX/GOVERNMENTAL AGENCY

PROPERTY ADDRESS: 5504 Peninsula Park Landing, Hermitage, TN 37076

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Veterans Affairs
c/o Director, VA Regional Office
110 9th Avenue, S.
Nashville, TN 37203

S & K File #04-0251
Map & Parcel - 097-16-0A-014.00

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