Davidson County DEEDTRS
Recvd: 11/16/04 13:13 3pgs
Fees:18.00 Taxes:495.34
20041116-0137516

Tennessee
Map: #150-12-A-90C0

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 26, 2003, and recorded in REGISTER'S INSTRUMENT: #20031002-0145584, in the Register's Office of Davidson County, Tennessee, Mistye Arnold, a single person, conveyed to Alfred E. Abbey, Trustee(s), 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 REGISTER'S INSTRUMENT: #20041013-0123524, in the Register's Office of said County; 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 said Deed of Trust by which advertisement the sale was appointed to be held on November 9, 2004, at the outside the door of the Register of Deeds office located at 501 Broadway Suite 501, Gaylord Entertainment Center of Davidson County, Tennessee; 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 sale JOHN C. MIRES, SINGLE, whose address is, 5361 STEWARTS FERRY PIKE, MOUNT JULIET, TENNESSEE 37122, being the highest and best bidder, became the purchaser of said property at and for the sum of ONE HUNDRED THIRTY THREE THOUSAND EIGHT HUNDRED SEVENTY SIX DOLLARS AND 00/100; and,

WHEREAS, the purchaser, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the amount of his bid.

NOW, THEREFORE, in consideration of the premises and the payment by JOHN C. MIRES, SINGLE of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said JOHN C. MIRES, SINGLE, his heirs and assigns in fee simple forever, the property above mentioned and now further described as being in ANTIOCH, COUNTY OF DAVIDSON, State of Tennessee, to-wit:

BEING LOT 609, SOMERSET, PHASE V-A, AS SHOWN BY PLAT OF RECORD IN PLAT BOOK 7900 PAGE 399, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION OF SAID LOT.

"PLEASE SEE LEGAL DESCRIPTION ATTACHED HERETO:"

MISTYE A. MARTIN, UNMARRIED, HER HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20020702-0079521, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto JOHN C. MIRES, SINGLE, his heirs and assigns in fee simple forever, to whom the said Arnold M. Weiss, 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.

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on November 9, 2004 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On November 9, 2004 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss 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.

Brenda L. Doyle
NOTARY PUBLIC

BRENDA L. DOYLE STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMM. EXP. 9-17-08

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
3648 Seasons Drive
Antioch, TENNESSEE 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

JOHN C. MIRES
5361 STEWARTS FERRY PIKE
MOUNT JULIET, TENNESSEE 37122

Mortgagee: None

This instrument prepared by:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103
(901) 526-8296

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$_____
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF
_____ 20____
NOTARY PUBLIC
MY COMMISSION EXPIRES

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 133,876.00
John C. Mires
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 10 DAY OF Jan 20 04
Deputy Register

BEING LOT NO. 609, SOMERSET, PHASE V-A, AS SHOWN BY PLAT OF RECORD IN PLAT BOOK 7900 PAGE 399, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION OF SAID LOT.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

THE PLAN OF RECORD IN PLAT BOOK 7900, PAGE 399, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

RESTRICTIVE COVENANTS CONTAINED IN AN INSTRUMENT OF RECORD IN BOOK 9065 PAGE 744, BOOK 9072 PAGE 572, BOOK 9245 PAGE 332, BOOK 9696 PAGE 654, BOOK 7619 PAGE 647, BOOK 7657 PAGE 583, BOOK 7675 PAGE 923, BOOK 7776 PAGE 826, BOOK 8201 PAGE 770, BOOK 8663 PAGE 384, BOOK 8708 PAGE 630, BOOK 9036 PAGE 326, AND BOOK 10404 PAGE 641, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

BY LAWS OF RECORD IN BOOK 7619 PAGE 679, BOOK 9509 PAGE 363, AND BOOK 9647 PAGE 472, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

HOA CHARTER OF RECORD IN BOOK 7661, PAGE 37, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

CONVEYANCE OF COMMON AREA OF RECORD IN BOOK 7768 PAGE 455, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

ALL OTHER EASEMENTS AND RESTRICTIONS OF RECORD IN SAID REGISTER'S OFFICE.

ANY MATTERS THAT WOULD BE REVEALED BY AN ACCURATE SURVEY.

ANY AND ALL VISIBLE EASEMENTS LYING ON OR ACROSS THE PROPERTY.

RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.