Davidson County DEEDTRS
Recvd: 12/08/04 15:54 5pgs
Fees:28.00 Taxes:1017.50
20041208-0146584

THIS INSTRUMENT PREPARED BY:
WHITE & REASOR, PLC (CBRIII)
3102 West End Avenue, Suite 1150
Nashville, TN 37203-1304
(615) 383-3345

Address New Owner:	Send Tax Bills To:	Map-Parcel No.:
Athena Funding Partners, LLC 354 Cool Springs Boulevard, Suite 106 Franklin, TN 37067	New Owner	117-13B/154

SUCCESSOR TRUSTEE'S SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Two Hundred Seventy Five Thousand and No/100 Dollars ($275,000.00), the receipt of which is hereby acknowledged, Charles B. Reasor III, Successor Trustee ("Grantor"), acting as successor trustee only, has this day bargained and sold, and does hereby transfer and convey unto Athena Funding Partners, LLC ("Grantee"), Grantee's successors and assigns, certain real estate (the "Property") in Davidson County, Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot No. 1018 on the Map of Abbottsford, Phase 2 of record as Instrument No. 20010502-0044874, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Cumberland Building Group, LLC by deed of record as Instrument No. 20020410-0044317, Register's Office for Davidson County, Tennessee.
>
> This is improved property located at 916 Bowring Park, Nashville, TN 37215.

This conveyance is made pursuant to the powers conferred upon Grantor by a Subordinate Deed of Trust (the "Deed of Trust") dated April 16, 2004 executed by Cumberland Building Group, LLC in favor of James L. McElroy, as trustee, and Timothy G. Wallace, as beneficiary, of record as Instrument Number 20040419-0043813, Register's Office for Davidson County, Tennessee ("RODC"), with Grantor having been appointed successor trustee by an instrument of record as Instrument Number 20041110-0135737, RODC. As set forth in the notice of foreclosure sale, a copy of which is attached hereto as Exhibit "A", published pursuant to the Deed of Trust and applicable law in the Nashville Record on November 11, 2004, November 18, 2004, and November 25, 2004, default was made in the terms, conditions, provisions, and payments provided for in the Deed of Trust, and the sale at foreclosure of the Property was scheduled for Thursday, December 2, 2004 at 10:00 a.m. in Nashville, Tennessee at 501 Great Circle Road, Nashville, Tennessee 37201. At that time, the foreclosure sale was commenced and concluded with Grantee constituting the highest bidder at such sale.

TO HAVE AND TO HOLD the Property with all appurtenances, estate, title and interest thereto belonging to Grantee, Grantee's successors and assigns, forever, Grantor, solely in Grantor's fiduciary capacity as successor trustee, covenants and binds himself, his successors in trust and assigns, to warrant and forever defend the title to the Property to Grantee, Grantee's successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument on this the 7th day of December, 2004.

GRANTOR:

Chas B Reasor III, Successor Trustee

Charles B. Reasor III, Successor Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, Lissa W. Allen, a Notary Public for the state and county aforesaid, Charles B. Reasor III, Successor Trustee, with whom I am personally acquainted, and who acknowledged he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 7th day of December, 2004.

Lissa W. Allen

Notary Public

LISSA W. ALLEN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2007

My Commission Expires:
May 30, 2007

STATE OF TENNESSEE
COUNTY OF DAVIDSON

LISSA W. ALLEN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2007

The actual consideration or value, whichever is greater, for this transfer is $275,000.00.

Affiant

SUBSCRIBED AND SWORN to before me, this 7th day of December, 2004.

May 30, 2007
My Commission Expires

Lissa W. Allen
Notary Public

Exhibit "A"

Notice of Foreclosure Sale

NOTICE OF FORECLOSURE SALE

Default having occurred under a Subordinate Deed of Trust (the "Deed of Trust") dated April 16, 2004 executed by Cumberland Building Group, LLC in favor of James L. McElroy, as trustee, and Timothy G. Wallace (the "Beneficiary"), as beneficiary, of record as Instrument Number 20040419-0043813, Register's Office for Davidson County, Tennessee (the "RODC"); and Charles B. Reasor III (the "Successor Trustee") having been duly appointed successor trustee under the Deed of Trust by an instrument of record in the RODC;

NOW, THEREFORE, I, Charles B. Reasor III, as successor trustee and not otherwise, acting upon the demand of the Beneficiary, who is the lawful owner and holder of the indebtedness secured by the Deed of Trust, will on

Thursday, December 2, 2004

at 10:00 a.m. (ten o'clock in the morning) in Nashville, Tennessee at 501 Great Circle Road, Nashville, Tennessee 37201, sell to the highest bidder for cash, at public outcry, the real property (the "Property") in Davidson County, Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot No. 1018 on the Map of Abbottsford, Phase 2 of record as Instrument No. 20010502-0044874, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Cumberland Building Group, LLC by deed of record as Instrument No. 20020410-0044317, Register's Office for Davidson County, Tennessee.

The street address of the Property is 916 Bowring Park, Nashville, Tennessee 37215.

The map/parcel number of the Property is 117-13B/154.

The Property sold pursuant to this notice of foreclosure sale shall be sold "AS IS," and neither the Successor Trustee nor the beneficiary of the Deed of Trust, nor any agent or attorney therefor makes or shall make any warranty as to the condition, quality or quantity thereof, including, but not limited to, the enforceability of any lease affecting the Property, the existence or absence of defaults under or the effect of this foreclosure sale upon the rights of any party under such a lease.

The sale of the Property shall be subject to any and all prior liens, prior encumbrances, prior deeds of trust, easements, restrictions, building lines, unpaid taxes and assessments, plus penalty and interest (if any), riparian rights, and any unwaived redemptive rights (including redemptive rights of any taxing authority by reason of any tax liens), plus any and all other rights, matters, and encumbrances superior in right to the lien of the Deed of Trust.

The sale of the Property may be adjourned by the Successor Trustee and may be reset at a later time and/or date by announcement at the time and place of the originally advertised sale and without any further publication. The sale of the Property shall be conducted for cash (or credit upon the indebtedness secured by the Deed of Trust if the lawful owner and holder thereof is the successful purchaser) to be tendered upon the conclusion of the bidding; provided, however, that prior to the sale of the Property, the Successor Trustee, acting on his own behalf or by and through one or more agents or representatives, may announce different or additional terms pursuant to which the sale of the Property shall be conducted.

Other interested parties: John T. Flaugher, Trustee; Franklin National Bank; George R. Archer, Jr., Trustee; SouthTrust Bank; F.G. Fuzzell Construction Co., Inc.; James L. McElroy, Trustee; Athena Funding Partners, LLC; and Burrow & Associates, Inc.

Dated: November 8, 2004

Charles B. Reasor III, as
successor trustee and not otherwise
WHITE & REASOR, PLC
Two American Center, Suite 1150
3102 West End Avenue
Nashville, TN 37203
Telephone: (615) 383-3345

Insertion dates: November 11, 2004, November 18, 2004, and November 25, 2004.

Newspaper for Publication: Nashville Record.