Tennessee
Map: #128-14-9

Davidson County DEEDTRS
Recvd: 01/20/05 13:05 2 pgs
Fees:13.00 Taxes:379.99
20050120-0007480

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 23, 1997, and recorded in BOOK 10331 PAGE 650 in the Register's Office of Davidson County, Tennessee, Nancy R McNally and husband Clifford H. McNally, conveyed to George V. Kinney and Bill R. McLaughlin, 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: #20040826-0103513, 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 January 18, 2005, at the outside 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 THOMAS PALLWEIN-PRETTNER AND WIFE, ANGELA L. PALLWEIN-PRETTNER, whose address is, 1111 WINDING WAY ROAD, NASHVILLE, TENNESSEE 37216, being the highest and best bidder, became the purchaser of said property at and for the sum of ONE HUNDRED TWO THOUSAND SEVEN HUNDRED 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 their bid.

NOW, THEREFORE, in consideration of the premises and the payment by THOMAS PALLWEIN-PRETTNER AND WIFE, ANGELA L. PALLWEIN-PRETTNER 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 THOMAS PALLWEIN-PRETTNER AND WIFE, ANGELA L. PALLWEIN-PRETTNER, their heirs 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:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 9 ON THE PLAN OF HARPETH PARK, SECTION ONE, OF RECORD IN BOOK 3600, PAGE 92, REGISTER'S OFFICE FOR SAID COUNTY. SAID LOT NO. 9 FRONTS 90.0 FEET ON THE EASTERLY MARGIN OF SAWYER BROWN ROAD AND EXTENDS BACK BETWEEN PARALLEL LINES 170.0 FEET TO A DEAD LINE IN THE REAR MEASURING 90.0 FEET THEREON.

DESCRIPTION REFERENCE: THE DESCRIPTION IS THE SAME AS THAT USED IN THE LAST DEED PRIOR TO THIS TRANSACTION.

THE PROPERTY HEREIN CONVEYED IS SUBJECT TO RESTRICTIVE COVENANTS OF RECORD IN BOOK 3844, PAGE 701 SAID REGISTER'S OFFICE AND TO THE MATTERS SET FORTH IN THE REFERENCED PLAN OF RECORD.

NANCY R. MCNALLY AND SPOUSE, CLIFFORD H. MCNALLY, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in BOOK: #9391, PAGE: #611, 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 THOMAS PALLWEIN-PRETTNER AND WIFE, ANGELA L. PALLWEIN-PRETTNER, their 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 January 18, 2005 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On January 18, 2005 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.

NOTARY PUBLIC

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

My Commission Expires: 9-17-08

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
8060 Sawyer Brown Road
Nashville, Tennessee 37221

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

THOMAS PALLWEIN-PRETTNER
1111 WINDING WAY ROAD
NASHVILLE, TENNESSEE 37216

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
$ 122,709
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 20th DAY OF January 2005
Deputy Register