This instrument prepared by: A.J. Sharenberger, III, P.O. Box 56, Elmwood, TN 38560

Address New Owner and Send tax bills to:
Cumberland Bank
P.O. Box 219
Carthage, TN 37030

Map-Parcel Numbers:
051 04 0 069.00

Davidson County DEEDTRS
Recvd: 04/15/05 09:25 3 pgs
Fees:18.00 Taxes:740.00
20050415-0041993

TRUSTEE'S DEED

This instrument made and entered into by and between A.J. Sharenberger, III, Successor Trustee and the herein described Grantee.

WHEREAS, Joe Garza and Stella Garza entered into a certain Deed of Trust of record in Book 11319 page 856, as modified in Book 11633 page 437, instrument number 200004180038880, instrument number 20020221-0022314 and instrument number 20030408-0046221, Register's Office for Davidson County, Tennessee conveying to Tom Paschal as Trustee, an interest in and to the hereinafter described property to secure the repayment of a Note described in said Deed of Trust, which Note is presently held and owned by CUMBERLAND BANK, and

WHEREAS, default was made in the payment of said Note; and

WHEREAS, the holder of said Note has appointed A.J. Sharenberger, III, Successor Trustee, by instrument of record in Instrument no. 20040219-0019252, said Register's Office;

WHEREAS, CUMBERLAND BANK, the owner and holder of said Note, demanded that the property be advertised and sold in satisfaction of said indebtedness including the costs of foreclosure, in accordance with the terms of said Note and of the Deed of Trust; and

WHEREAS, Trustee did, by publication in the Nashville Record newspaper advertise said property to be sold on March 17, 2005, and pursuant to said publication, on said date, during legal hours, offered said property for sale at the at the door of the Davidson County Register of Deeds in the Gaylord Entertainment Center and after requesting competitive bids and receiving those that were offered, sold said property, to the extent herein described, to the hereinafter described Grantee, its heirs, successors and assigns, at the sum of $ Two Hundred Thousand Dollars, this being the highest, last and best bid.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of the aforementioned bid, the receipt of which is hereby acknowledged, A.J. Sharenberger, III, Successor Trustee has bargained and sold, and by these presents transfers and conveys to Cumberland Bank (the "Grantee"), Grantee's heirs, successors and assigns, certain land and improvements thereon in Davidson County Tennessee, (the "Property") as follows:

Being part of Lots 12 and 13 and part of Douglas Avenue, closed, as shown on the map of L. M. Ezell's 38 Homes Tract I of the 11th Civil District of Davidson County, Tennessee, not of record and described according to a copy of a survey made by W. B. Southgate surveyor June 10, 1940.

Beginning at a point in the center of the creek at the intersection of the creek and the southerly margin of Webster Street; thence along Webster Street 110 feet six inches to an iron stake at the corner of the property of the Nashville Pistol and Revolver Club; thence South 150 feet to the creek and thence east 10 feet to the center of the creek and thence Northeast throughout the center of the creek to the beginning point, being that part of Lots 12 and 13 that lies West of the creek.

Being the same property conveyed to Joe Garza by deed of record in Book 11240 page 641 said Register's Office.

Said sale is expressly subject to any and all unpaid ad valorem taxes (plus penalty and interest) that may be a lien against the same, and such restrictive covenants, easements, set back lines, and boundary lines as recorded against the property. This description of possible encumbrances is not intended to convey any priority upon the same over the lien of the Deed of Trust foreclosed nor priority over the title conveyed by this Trustee's Deed.

TO HAVE AND TO HOLD the Property, with all appurtenances, estate, title, and interest thereto belonging, unto to the Grantee, Grantee's heirs, successors and assigns, in fee simple forever and in bar of all right or equity of redemption.

This Property is sold AS IS, WHERE IS and Trustee makes no representation or warranty as to title.

IN WITNESS WHEREOF, the undersigned has executed this Deed.

A.J. Sharenberger, III, Successor Trustee

STATE OF TENNESSEE
COUNTY OF Smith

Before me, a Notary Public within and for the state and county aforesaid, personally appeared A.J. Sharenberger, III, Successor Trustee, with whom I am personally acquainted or proved on the basis of satisfactory evidence and who acknowledged that he executed the foregoing instrument as Successor Trustee for the purposes therein contained.

Witness my hand and official seal at office at Carthage, Tennessee on this the 17th day of March, 2005.

Deborah J Bane

Notary Public
My Commission Expires: July 14, 2008

DEBORAH J. BANE
STATE OF TENNESSEE NOTARY PUBLIC
SMITH COUNTY

STATE OF TENNESSEE
COUNTY OF Smith

I hereby swear or affirm that he actual consideration for this transfer or value of the property transferred, whichever is greater is $200,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

A J Sharenberger III
Affiant

SUBSCRIBED and sworn to before me, this the 17th day of March, 2005.

Deborah J Bane

Notary Public
My commission expires: July 14, 2008

DEBORAH J. BANE
STATE OF TENNESSEE NOTARY PUBLIC
SMITH COUNTY