Davidson County DEEDTRS
Recvd: 04/21/05 15:11 3 pgs
Fees:17.00 Taxes:0.00
20050421-0044675

Tennessee\FHA
Map: #86-11-B-27C0

David Thornberry
MIDLAND: #48868464
FHA: #4832650872734

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 12, 1999, and recorded in BOOK: #11570, PAGE: #793, in the Register's Office of Davidson County, Tennessee, David J. Thornberry a married man, Kim M. Thornberry a married woman, conveyed to Thomas F. Baker, IV 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: #20041119-0139422, 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 said Deed of Trust by which advertisement the sale was appointed to be held on December 7, 2004, 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 time the said property was struck off and sold to MIDFIRST BANK, a corporation, at and for the sum of NINETY ONE THOUSAND NINE HUNDRED DOLLARS AND 00/100, that being the highest and best bid offered; and,

WHEREAS, the said MIDFIRST BANK has assigned its interests in the said property to The Secretary of Housing and Urban Development of Washington, D.C., 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 MIDFIRST BANK of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Secretary of Housing and Urban Development of Washington, D.C., 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:

**"PLEASE SEE LEGAL DESCRIPTION ATTACHED HERETO:"**

DAVID J. THORNBERRY AND WIFE, KIM M. THORNBERRY, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in BOOK: #11570, PAGE: #790, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

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 The Secretary of Housing and Urban Development of Washington, D.C., his successors 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.

The said Substitute Trustee has applied the consideration as follows:

| | |
|---|---|
| Recording Appointment of Substitute Trustee | 12.00 |
| Publication Expense | 255.00 |
| Attorney's Fees and Trustees Fees | 550.00 |
| Credit on Note | 91,083.00 |
| | $91,900.00 |

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, on December 7, 2004 has hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On December 7, 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.

NOTARY PUBLIC

MARCI HARPER NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 8-5-05

My Commission Expires:

NO TAX

PROPERTY ADDRESS
426 Raintree Place
Hermitage, TENNESSEE 37076

PROPERTY OWNER AND
AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Pyramid Real Estate Services
616 Marriott Drive, Suite 300
Nashville, TN 37214

THIS INSTRUMENT PREPARED BY:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103-1991

← **RETURN TO**

A Condominium Apartment in Davidson County, Tennessee, being Unit No. 4, Building #11, Phase 2 & 2A and Garage Number 114G of Hermitage Woods Condominium Apartments, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on the Plan of record in Book 4860 Pages 62, 63 & 64, Register's Office for said County, to which source reference is hereby made for a more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

This conveyance is subject to: The plan, with Owner's Certificate of record in Plat Book 4860 Page 62, 63, and 64, said Register's Office, which plan shows minimum building setback lines and easements and to which plan reference is hereby made for a more complete description.

The provisions of the condominium Master Deed of record in Book 4753, page 140, Book 4980, Page 378, Book 5165 Page 781, Book 5546 Page 493 and By laws in Book 5122 Page 878, Book 6229 Page 970, said Register's Office which submits said property to a Horizontal Property Regime pursuant to the provisions of the Tennessee Horizontal Property Act and sets forth restrictions, assessments, liens and other matters.