Davidson County DEEDTRS
Recvd: 06/16/05 15:26 5 pgs
Fees:28.00 Taxes:240.50
20050616-0069198

This Instrument Prepared By:
BONE MCALLESTER NORTON PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219

Address New Owner(s):	**Send Tax Bills To:**	**Map & Parcel Nos.:**
Kenneth M. Garner **401 Bowling Avenue #74** **Nashville, TN 37205**	**New Owner**	**061-15-0-322.00**

TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions, and payments provided for and made in a Deed of Trust dated September 18, 1998, executed by Joe M. Chilton and wife, Sue B. Chilton, to Patti B. Hall, Trustee, of record in Book 11120, page 539, Register's Office for Davidson County, Tennessee ("Deed of Trust") to secure certain Indebtedness ("Indebtedness"); and

WHEREAS, Kenneth M. Garner, the owner and holder of the Indebtedness secured by said Deed of Trust replaced said Trustee by naming Sam J. McAllester III, J. Evan Gower, and Gregory G. Vick, as Substitute Trustees by an instrument of record in the Register's Office for Davidson County, Tennessee, and authorized any one of the Substitute Trustee's to act alone or by a Designated Agent with the powers, given the Trustee in said Deed of Trust; and

WHEREAS, Sam J. McAllester, III, in his capacity as Substitute Trustee, and not Individually ("Substitute Trustee") caused to be published a Foreclosure Sale Notice in accordance with the provisions of said Deed of Trust, providing notice and advertising that said property would be sold at 12:00 o'clock Noon, prevailing time, at the entrance to the office of the Davidson County Register of Deeds, Gaylord Entertainment Center, 501 Broadway,

Nashville, Davidson County, Tennessee, to be knocked off and sold to the highest, best, and last bidder for cash, pursuant to the terms and conditions of the Deed of Trust and the Foreclosure Sale Notice; and

WHEREAS, Sam J. McAllester, III, Substitute Trustee personally appeared (or appeared by Designated Agent) and offered said property for sale at public outcry and the highest, best, and last bid received was the sum of Sixty-five Thousand and 00/100 Dollars ($65,000.00) by Kenneth M. Garner (hereinafter referred to as the "Grantee") and said property was knocked off and sold to the Grantee.

NOW, THEREFORE, in consideration of the premises and sum of Sixty-five Thousand and 00/100 Dollars ($65,000.00) cash in hand paid by the Grantee, Sam J. McAllester, III, Substitute Trustee, has this day bargained and sold and, by the premises, does transfer and convey to Grantee, its/their heirs and assigns the title and interest that Substitute Trustee has the right to sell and convey under the Deed of Trust in a certain tract or parcel of land situated in Davidson County, Tennessee, and described as follows:

> Land in Davidson County, Tennessee, being Lot No. 230 on the Revised Plan of part of Inglewood Place, as of record in Book 421, page 137, Register's Office for Davidson County, Tennessee.
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> Said Lot No. 230 fronts 100 feet on the southerly side of Stratford Avenue and extends back between parallel lines 205 feet to a dead line in the rear measuring 100 feet thereon. This is the same legal description as in the previous deed of record. This is improved property known as 1110 Stratford Avenue, Nashville, Tennessee 37216.
>
> Being the same property conveyed to Joe M. Chilton and wife, Sue. B. Chilton, by deed from Randle W. Hill, Jr., Administrator CTA of the Estate of Nellie M. Hicks, deceased, of record in Book 11120, page 536, and rerecorded in Book 11376, page 778, of the Register's Office for Davidson County, Tennessee. The said Joe M. Chilton died on May 30, 1999, and was survived by his wife, Sue B. Chilton. Upon the death of her husband, the said Sue B. Chilton became vested with title in and to said real estate as surviving tenant by the entireties. The said Sue B. Chilton subsequently conveyed a ½ undivided interest to Raymond E.

Turek by deed of record in Instrument No. 200001250008265, Register's Office for Davidson County, Tennessee. Upon information and belief, the said Sue B. Chilton is deceased, and upon her death, her ½ interest then vested in her surviving children, Anita Dickinson and James R. Chilton.

The street address of the property is believed to be 1110 Stratford Avenue, Nashville, Davidson County, Tennessee, 37216, but such address is not part of the Legal Description of the property. In the event of any discrepancy, the Legal Description herein shall control. The Legal Description is drawn from recorded documents or provided by third parties, and the Substitute Trustee makes no warranty or representation regarding the accuracy of the Legal Description.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee, its/their heirs, successors, and assigns forever.

The Substitute Trustee covenants with the said Grantee that he is lawfully seized and possessed of said real property as Substitute Trustee only and, by the terms of the above-mentioned Deed of Trust, in his capacity as Substitute Trustee, has a good right to sell and convey the same liens subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any Deeds of Trust, liens, claims, and encumbrances that may take priority over the Deed of Trust. This sale is also subject to any matter that an accurate survey of the premises might disclose.

The Substitute Trustee, and not Individually, further covenants and binds himself/his successors and assigns, to warrant and forever defend the title to said real estate to the Grantee, its/their heirs and assigns, against the lawful claims of any person claiming by or through him as

Substitute Trustee, but no further or otherwise, it being the intention of the Substitute Trustee only to convey to Grantee no greater title in the subject real estate than he received as Substitute Trustee and that, as Substitute Trustee, he has the right to sell and convey.

This property is sold AS IS, WHERE IS AND WITH ALL FAULTS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OR MERCHANTABILITY, CONDITION, OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

Substitute Trustee makes no covenant of seisin, marketability of title, or warranty of title, express or implied. Substitute Trustee sells and conveys the subject real property by this Trustee's Deed as Substitute Trustee only, and not individually.

WITNESS my hand this 16th day of June, 2005.

Sam J. McAllester, III,
Substitute Trustee, and not Individually

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Kimberley R. Mankin a Notary Public of this county, Sam J. McAllester, III, Substitute Trustee, and not Individually, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office this 16th day of June, 2005.

NOTARY PUBLIC

KIMBERLEY R. MANKIN
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires: 9-30-06

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $65,000.00.

AFFIANT

Subscribed and sworn before me on this 10th day of June, 2005.

NOTARY PUBLIC

KIMBERLEY R. MANKIN
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires: 9-30-06