PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

Davidson County DEEDTRS
Recvd: 06/27/05 13:28 2 pgs
Fees:13.00 Taxes:202.36
20050627-0073568

Name: Glenn A. Carter, and wife, Angela Carter
S&K#: 05-1164
Loan#: 1896030764

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 25, 1992, recorded in Book 8618, Page 478, in the Register's Office of Davidson County, Tennessee, Glenn A. Carter and wife, Angela Carter, conveyed to Douglas M. Grisham, Trustee, 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 Instrument Number 20050613-0067514, 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 sale Deed of Trust by which advertisement the sale was appointed to be held on June 8, 2005, at the Davidson County Courthouse in Nashville, Tennessee, at 3 pm; 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 Marty L. Penix, whose address is 3735 N. Mt Julie Road Suite 101 Mt Juliet Tennessee 37122, at and for the sum of $54,692.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser Marty L. Penix, 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 Marty L. Penix, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Joe M. Kirsch, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Marty L. Penix, his heir successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 49 on The Plan of Nawakwa Hills Powwow Addition, Section Number 2, which is of record in Book 974, Page 10, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description of said lot.

This legal description is identical with that in Deed recorded in Book 8618, Page 478, in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 8618, Page 478, in the Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Book 8124, Page 232, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens.

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 Marty L. Penix, his heir successors and assigns, in fee simple forever, to whom the said Joe M. Kirsch, 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.

IN WITNESS WHEREOF, the said Joe M. Kirsch, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Joe M. Kirsch
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 8th day of June, 2005, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Joe M. Kirsch, 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.

JENA R. SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN

WITNESS my hand and Notarial Seal at Office the day and year above written.

12/20/05
My commission expires:

Notary Public

My Comm. Exp. 12-20-05

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $54,692.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Marty Penix
Affiant

Subscribed and sworn to before me on the 22nd day of June, 2005.

Notary Public 4-18-09

JODI S. BENTLEY STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

PROPERTY ADDRESS: 1439 Mohawk Trail, Madison, TN 37115

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Marty L. Penix
3735 N. Mt Julie Road
Suite 101
Mt Juliet Tennessee 37122

S & K #:05-1164
Map & Parcel – 063-01 155.00

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.