Davidson County DEEDTRS
Recvd: 08/08/05 13:28 18 P
Fees:90.00 Taxes:212.75
20050808-0093359

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.:**
Robert H. Braswell **168 Charleston Park** **Nashville, TN 37205**	**New Owner**	**083-01-0-399.00**

TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions, and payments provided for and made in a an Amended and Restated Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Financing Statement dated November 17, 2004, of Record as Instrument Number 20041300142021 which amends and restates i] the Deed of Trust, dated May 19, 2003, of Record as Instrument Number 20030529-0072842, Register's Office for Davidson County, Tennessee; ii] Deed Of Trust, dated December 20, 2002, of Record as Instrument Number 20030106-0001901, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040123-0009397, Register's Office for Davidson County, Tennessee; and iii] Deed Of Trust, dated June 30, 2004, of Record as Instrument Number 20030714-0097847, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040622-0073376, Register's Office for Davidson County, Tennessee, executed by Fletcher and Fry Real Estate Enterprise, LLC, a Tennessee limited liability company, a/k/a Fry and Fletcher Real Estate Ent., LLC, to Arthur M. Willard, Trustee ("Deed of Trust") to secure certain Indebtedness ("Indebtedness"); and

WHEREAS, Regions Bank, 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 at Instrument No. 20050509-0051910, 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 10:00 o'clock a.m., prevailing time on Tuesday, June 7, 2005, at the entrance to the Davidson County Register of Deeds at the 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 described as Tract I in the Foreclosure Sale Notice for sale at public outcry and the highest, best, and last bid received was the sum of Fifty-seven Thousand Five Hundred and 00/100 Dollars ($57,500.00) by Robert H. Braswell (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 Fifty-seven Thousand Five Hundred and 00/100 Dollars ($57,500.00) 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. 44 on the map of J.B. Hancock's East End Addition, of record in Book 57, page 133, Register's Office for said County.
>
> Said Lot No. 44 fronts 50 feet on the southerly side of Granada, formerly Grand Avenue, and runs back 143 feet on the easterly line and 143.8 feet on the westerly line to an alley, measuring 50 feet thereon.
>
> Being the same property conveyed to Fletcher & Fry Real Estate Enterprises, LLC by deed from Joni Lockeridge, Gina Coleman, and Sharon Witherspoon, as the sole heirs at law of Wilma J.C. Odom, of record in Instrument No. 20030529-0072841, Register's Office for Davidson County, Tennessee.

The street address of the property is believed to be 1114 Granada Avenue, Nashville, Davidson County, Tennessee 37206, 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.

A Notice of State Tax Lien has been filed by the Tennessee Department of Revenue against Fletcher and Fry Real Estate Enterp d/b/a Fletcher and Fry Real Estate Enterp, of record at Instrument No. 20041018-0125058, Register's Office for Davidson County, Tennessee. Timely notice has been given by the Substitute Trustee to the Department of Revenue, State of Tennessee, pursuant to T.C.A. §67-1-1433(b)(1), a copy of which is attached hereto. A copy of the response from the Tennessee Department of Revenue is attached hereto. The sale of this property will be subject to the right of the Department of Revenue, State of Tennessee, to redeem said property under the provisions of T.C.A. §67-1-1433(c).

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, his 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 8th day of August, 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 8th day of August, 2005.

Kimberley R. Mankin
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 $ 57,500.00 .

AFFIANT

Subscribed and sworn before me on this 8th day of August, 2005.

Kimberley R. Mankin
NOTARY PUBLIC

KIMBERLEY R. MANKIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 9-30-06

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

FORECLOSURE SALE NOTICE

WHEREAS, Fletcher and Fry Real Estate Enterprise, LLC, a Tennessee limited liability company, a/k/a Fry and Fletcher Real Estate Ent., LLC, executed an Amended and Restated Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Financing Statement of Record as Instrument Number 20041300142021 which amends and restates i] the Deed of Trust, dated May 19, 2003, of Record as Instrument Number 20030529-0072842, Register's Office for Davidson County, Tennessee; ii] Deed Of Trust, dated December 20, 2002, of Record as Instrument Number 20030106-0001901, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040123-0009397, Register's Office for Davidson County, Tennessee; and iii] Deed Of Trust, dated June 30, 2004, of Record as Instrument Number 20030714-0097847, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040622-0073376, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), conveyed to Arthur M. Willard, Trustee, the hereinafter described real property to secure the payment of certain indebtedness, etc., ("Indebtedness") as described in said Deed of Trust; and

WHEREAS, Sam J. McAllester III, J. Evan Gower, and Gregory G. Vick have been appointed Substitute Trustees by Regions Bank, the owner and holder of said Indebtedness, by an instrument of record in the Register's Office for Davidson County, Tennessee, with authority for any one of such Substitute Trustees to act alone or by a Designated Agent with the powers given the Trustee in the Deed of Trust and by applicable law; and

WHEREAS, default in indebtedness secured by said Deed of Trust has been made; and

WHEREAS, Regions Bank, the owner and holder of said Indebtedness has demanded that the real property be advertised and sold in satisfaction of said Indebtedness and the cost of the foreclosure, in accordance with the terms and provisions of the Loan Documents and Deed of Trust.

NOW, THEREFORE, notice is hereby given that one of the Substitute Trustees or a Designated Agent for any one of the Substitute Trustees, pursuant to the power, duty and authority vested in and imposed upon the Trustee in said Deed of Trust and applicable law, will on

Tuesday, June 7, 2005

at 10:15 o'clock a.m., prevailing time, at the entrance of the Davidson County Register of Deeds Office, Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee, offer for sale to the highest and best bidder for cash and free from all rights and equity of redemption, statutory right of redemption or otherwise, homestead, dower, elective share and all

other rights and exemptions of every kind as waived in said Deed of Trust, certain real property situated in Davidson County, Tennessee, described as follows:

PARCEL I

Land in Davidson County, Tennessee, being Lot No. 44 on the map of J.B. Hancock's East End Addition, of record in Book 57, page 133, Register's Office for said County.

Said Lot No. 44 fronts 50 feet on the southerly side of Granada, formerly Grand Avenue, and runs back 143 feet on the easterly line and 143.8 feet on the westerly line to an alley, measuring 50 feet thereon.

Being the same property conveyed to Fletcher & Fry Real Estate Enterprises, LLC by deed from Joni Lockeridge, Gina Coleman, and Sharon Witherspoon, as the sole heirs at law of Wilma J.C. Odom, of record in Instrument No. 20030529-0072841, Register's Office for Davidson County, Tennessee.

The street address of the property is believed to be 1114 Granada Avenue, Nashville, Davidson County, Tennessee 37206, 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.

PARCEL II

All that certain lot or parcel of land situate in Davidson County, Tennessee, being Lot No. 85 on the Plan of Battery Crest, Section 1, as of record in Book 2900, page 91, Register's Office for said County, to which said plan reference is hereby made for a more complete legal description.

Less and except that portion of property conveyed to Metropolitan Government of Nashville and Davidson County, Tennessee in Book 8284, page 75.

Subject to terms and conditions and restrictive covenants of record in Book 3072, page 429, Book 3707, page 335, and Book 3098, page 290, said Register's Office.

Subject to easement recorded in Deed Book 6610, page 812

Being the same property conveyed to Fletcher & Fry Real Estate Enterprises, LLC, by deed from Bank of America, N.A., of record in Instrument No. 20030103-0001900, Register's Office for Davidson County, Tennessee.

The street address of the property is believed to be 4945 Edmondson Pike, Nashville, Davidson County, Tennessee 37211, 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.

PARCEL III

Land in Davidson County, Tennessee, being Lot No. 16 on the plan of Dalewood, Section 1, of record in Book 1424, page 108, Register's Office for said County, described as follows:

Beginning at a point in the west margin of Thistlewood Avenue, the corner of Lots Nos. 16 and 17, thence with the line between said lots westwardly 207.6 feet to a point; thence southerly 32 feet to a point; thence easterly 25 feet to a point, thence southerly 38 feet to the corner of Lots Nos. 15 and 16; thence with the line between said lots easterly 190 feet to the westerly margin of Thistlewood Avenue; thence with the margin of the same, northerly 87.4 feet to the point of beginning.

Being the same property conveyed to Fletcher and Fry Real Estate, LLC, dated June 30, 2003, of record as Instrument Number 20030714-0097846, Register's Office for Davidson County, Tennessee.

The street address of the property is believed to be 2204 Thistlewood Drive, 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 properties will be sold individually AS IS, WHERE IS AND WITH ALL FAULTS, and without any representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTIES ARE TO BE SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

Other interested parties: Tennessee Department of Revenue.

The right is reserved to (i) delay the sale to another time certain or adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said delay or adjournment on the day and time and place of sale set forth above; (ii) sell the Property at the time fixed by the last postponement or to give new notice of sale; (iii) sell the Property in such lots, parcels, segments, or separate estates as Substitute Trustee may choose; (iv) sell part of the Property and delay, adjourn, cancel, or postpone the sale of the remaining part of the Property; (v) sell the Property in whole and then to sell the Property in parts and to consummate the sale in whichever manner produces the highest sale price; (vi) to sell to the next highest bidder in the event any higher bidder does not comply with the terms of the sale.

At the time and place of sale set forth herein above, announcement will be made that Parcel I, II, and III shall each be sold separately and each sale shall be adjourned to the respective parcel. The sale of Parcel II shall be adjourned to 12:00 Noon at the premises of 4945 Edmondson Pike, Nashville, Davidson County, Tennessee 37211; the sale of Parcel I shall be adjourned to 2:00 o'clock p.m. at the premises of 1114 Granada Avenue, Nashville, Davidson County, Tennessee 37206; and the sale of Parcel III shall be adjourned to 3:30

o'clock p.m. at the premises of 2204 Thistlewood Drive, Nashville, Davidson County, Tennessee 37216 with each parcel to be sold by public auction to be conducted by Jim Stevens Realty & Auction Associates.

A Notice of State Tax Lien has been filed by the Tennessee Department of Revenue against Fletcher and Fry Real Estate Enterp d/b/a Fletcher and Fry Real Estate Enterp, of record at Instrument No. 20041018-0125058, Register's Office for Davidson County, Tennessee. Timely notice has been given by the Substitute Trustee to the Department of Revenue, State of Tennessee, pursuant to T.C.A. §67-1-1433(b)(1). The sale of this property will be subject to the right of the Department of Revenue, State of Tennessee, to redeem said property under the provisions of T.C.A. §67-1-1433(c).

Substitute Trustee will make no covenant of seisin, marketability of title or warranty of title, express or implied, and will sell and convey the subject real property by Trustee's Quitclaim Deed as Substitute Trustee only.

THIS sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes and assessments (plus penalties, interest, and costs) which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any rights of redemption, equity, statutory or otherwise, not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any and all prior deeds of trust, liens, dues, assessments, encumbrances, defects, adverse claims and other matters that may take priority over the Deed of Trust upon which this foreclosure sale is conducted or are not extinguished by this Foreclosure Sale. This sale is also subject to any matter that an inspection and accurate survey of the property might disclose.

THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THIS PURPOSE.

THIS 9th day of May, 2005.

Sam J. McAllester, III, Substitute Trustee

BONE MCALLESTER NORTON PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219
615/238-6320

CERTIFICATE OF SERVICE

I certify that on May 9, 2005, a true copy of the foregoing Foreclosure Sale Notice has been placed in the United States mail, postage prepaid, to:

Fletcher and Fry Real Estate Enterprises, LLC
1114 Granada Avenue
Nashville, TN 37206

Fletcher and Fry Real Estate Enterprises, LLC
4945 Edmondson Pike
Nashville, TN 37211

Fletcher and Fry Real Estate Enterprises, LLC
2204 Thistlewood Avenue
Nashville, TN 37216

Fletcher and Fry Real Estate Enterprises, LLC
405 Vadis Court
Old Hickory, TN 37138

Gary Fletcher
4068 Port Cleburne Lane
Hermitage, TN 37064

David Fry
405 Vadis Court
Old Hickory, TN 37138

Loren Chumley, Commissioner
Tennessee Department of Revenue
927 Andrew Jackson Building
Nashville, TN 37242

Sam J. McAllester, III

BONE MCALLESTER NORTON PLLC
www.bonelaw.com

May 9, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Loren Chumley
Commissioner
State of Tennessee Department of Revenue
927 Andrew Jackson Building
Nashville, Tennessee 37242

Re: Notice of Nonjudicial Foreclosure on Behalf of Regions Bank ("Lender")
Name of Borrower: Fletcher and Fry Real Estate Enterprises, LLC ("Borrower")
Address of Property: 1114 Granada Avenue, Nashville, Davidson County (Tract I), 4945 Edmondson Pike, Nashville, Davidson County (Tract II), and 2204 Thistlewood Drive, Nashville, Davidson County (Tract III); (individually and collectively the "Property")

Dear Ms. Chumley:

This letter is notice to the State of Tennessee, Department of Revenue of the proposed nonjudicial foreclosure sale at 10:15 o'clock a.m. on the 7th day of June, 2005, by and on behalf of Lender, the owner and holder of a Consolidated, Amended, and Restated Promissory Note dated November 1, 2004 in the original principal amount of $229,150.00 which consolidates, amends, and restates i] Promissory Note dated May 19, 2003, executed by Maker, payable to the order of Holder, in the original principal amount of Seventy Thousand and 00/100 Dollars ($70,000.00); ii] Promissory Note dated January 2, 2004, executed by Maker, payable to the order of Holder, in the original principal amount of Eighty-Four Thousand and 00/100 Dollars ($84,000.00); and iii] Promissory Note dated June 30, 2003, executed by Maker, payable to the order of Holder, in the original principal amount of Seventy-Five Thousand and 00/100 Dollars ($75,000.00) (collectively the "Note"). The Note is secured by an Amended and Restated Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Financing Statement of Record as Instrument Number 200411300142021 which amends and restates i] the Deed of Trust, dated May 19, 2003, of Record as Instrument Number 20030529-0072842, Register's Office for Davidson County, Tennessee; ii] Deed Of Trust, dated December 20, 2002, of Record as Instrument Number 20030106-0001901, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040123-0009397, Register's Office for Davidson County, Tennessee; and iii] Deed Of Trust, dated June 30, 2004, of Record as Instrument Number 20030714-0097847, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040622-0073376, Register's Office for Davidson County, Tennessee (collectively the "Deed of Trust").

This letter is a request on behalf of Lender for the consent of the State of Tennessee Department of Revenue to the sale of the Property and for discharge of said Property from the

511 Union Street - Suite 1600 • Nashville City Center • Nashville, Tennessee 37219 • Ph: 615.238.6300 • Fx: 615.238.6301

liens of the State of Tennessee and/or the sale of said Property free and clear of such liens. This letter is also a request on behalf of Lender for the release of the right of redemption of the State of Tennessee against said Property. In support of the above requests, I hereby submit the following information:

1. I am attorney for Lender. Lender is the owner and holder of a Consolidated, Amended, and Restated Promissory Note dated November 1, 2004 in the original principal amount of $229,150.00, executed by Fletcher and Fry Real Estate Enterprise, LLC, a Tennessee limited liability company, a/k/a Fry and Fletcher Real Estate Ent., LLC ("Borrower"). Borrower has defaulted on said Note and Lender has declared the default and accelerated the principal balance. As of April 20, 2005, the principal and accrued interest balance owing, past due and unpaid was $230,745.16. Pursuant to the terms of the Note and Deed of Trust, Lender is entitled to accrued interest, and Lender is also entitled to its attorney's fees and expenses, including foreclosure costs, as part of the indebtedness secured by said Deed of Trust.

2. A Notice of State Tax Lien was filed by the State of Tennessee Department of Revenue Tax Enforcement Division against Fletcher and Fry Real Estate Enterp d/b/a Fletcher and Fry Real Estate Enterp, dated October 12, 2004, filed for record on October 18, 2004, at Instrument No. 20041018-0125058, Register's Office for Davidson County, Tennessee. A copy of said tax lien is attached hereto for your information.

3. Fletcher & Fry Real Estate Enterprises, LLC purchased said Property from Joni Lockeridge, Gina Coleman, and Sharon Witherspoon, sole heirs of Wilma J. C. Odom by Deed dated May 19, 2003, of record at Instrument No. 2003052990072841, Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid or the value of the Property, whichever is greater, was stated to be $40,000.00. (Tract I)

4. Fletcher & Fry Real Estate Enterprises, LLC purchased said Property from Bank of America, N.A. by Deed dated December 6, 2002, of record at Instrument No. 200301060001900, Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid or the value of the Property, whichever is greater, was stated to be $64,000.00. (Tract II)

5. Fletcher and Fry Real Estate, LLC purchased said Property from Hallie Weaver, Co-conservator for the Estate of Thomas L. Weaver and wife, Hallie B. Weaver by Deed dated June 30, 2003, of record at Instrument No. 200307140097846, Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid or the value of the Property, whichever is greater, was stated to be $60,000.00. (Tract III)

6. To the best of my knowledge and in reliance upon the title search by Gregory Vick and Associates which is dated April 7, 2005, title to said Property as of 8:00 a.m., April 7, 2005, is as follows:

[a] Said Property is presently vested in Fletcher and Fry Real Estate Enterprises, LLC by Deed from Joni Lockeridge, Gina Coleman, and Sharon Witherspoon, sole heirs of Wilma J.C. Odom dated May 19, 2003, filed for record May 29, 2003, at Instrument No. 200305290072841, Register's Office for Davidson County, Tennessee. (Tract I)

[b] Said Property is presently vested in Fletcher & Fry Real Estate Enterprises, LLC by Deed from Bank of America, N.A. dated December 6, 2002, filed for record January 6, 2003, at Instrument No. 200301060001900, Register's Office for Davidson County, Tennessee. (Tract II)

[c] Said Property is presently vested in Fletcher and Fry Real Estate, LLC by Deed from Hallie Weaver, Co-Conservator for the Estate of Thomas L. Weaver and wife, Hallie B. Weaver dated June 30, 2003, filed for record July 14, 2003, at Instrument No. 20030714-0097846, Register's Office for Davidson County, Tennessee. (Tract III)

[d] 2005 County real property taxes are a lien against said Property but are not yet due and payable in the base amount of $809.52. (Tract I)

[e] 2005 County real property taxes are a lien against said Property but are not yet due and payable in the base amount of $1,233.17. (Tract II)

[f] 2005 County real property taxes are a lien against said Property but are not yet due and payable in the base amount of $1,066.00. (Tract III)

[g] 2004 County real property taxes in the name of Fletcher & Fry Real Est. Enterprises, LLC are a lien against said Property and are now past due and delinquent in the base amount of $809.52 plus penalty, interest, and costs. (Tract I)

[h] 2004 County real property taxes in the name of Fletcher & Fry Real Estate Enterprises, LLC are a lien against said Property and are now past due and delinquent in the base amount of $1,233.17 plus penalty, interest, and costs. (Tract II)

[i] 2004 County real property taxes in the name of Fletcher and Fry Real Estate, LLC are a lien against said Property and are now past due and delinquent in the base amount of $1,066.00 plus penalty, interest, and costs. (Tract III)

[j] 2003 County real property taxes in the name of Fletcher & Fry Real Estate Enterprises, LLC, are a lien against said Property and are now past due and delinquent in the base amount of $809.52 plus penalty, interest, and costs. (Tract I)

[k] 2003 County real property taxes in the name of Fletcher & Fry Real Estate Enterprises, LLC, are a lien against said Property and are now past due and delinquent in the base amount of $1,233.17 plus penalty, interest, and costs. (Tract II)

[l] 2003 County real property taxes in the name of Fletcher and Fry Real Estate, LLC, are a lien against said Property and are now past due and delinquent in the base amount of $1,066.00 plus penalty, interest, and costs. (Tract III)

[m] There is of record at Instrument No. 200411300142021 an Amended and Restated Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Financing Statement which amends and restates i] the Deed of Trust, dated May 19, 2003, of Record as Instrument Number 20030529-0072842, Register's Office for Davidson County, Tennessee; ii] Deed Of Trust, dated December 20, 2002, of Record as Instrument Number 20030106-0001901, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040123-0009397, Register's Office for Davidson County, Tennessee; and iii] Deed Of Trust, dated June 30, 2004, of Record as Instrument Number 20030714-0097847, as amended by Modification of Deed of Trust, dated January 2, 2004, of Record as Instrument Number 20040622-0073376, Register's Office for Davidson County, Tennessee, wherein said Property is conveyed to Arthur M. Willard, Trustee, for the purpose of securing a Consolidated, Amended, and Restated Promissory Note dated November 1, 2004 in the original principal amount of $229,150.00, payable to Regions Bank. (Tracts I, II, and III)

[n] A Notice of State Tax Lien filed by the State of Tennessee Department of Revenue Tax Enforcement Division in the name of Fletcher and Fry Real Estate Enterp, dated October 12, 2004, filed for record at Instrument No. 20041018-0125058, Register's Office for Davidson County, Tennessee. (Tracts I, II, and III)

7. Lender does not have a current appraisal of the Property. According to the records of the Tax Assessor of Davidson County, said Property has a value of $87,800.00. Based upon Borrower's financial statements and information furnished Lender, the cash flow generated by the real property and the general status of similar properties, it is best opinion of Lender that the Property is not worth more than the debt owing Lender and real property taxes. (Tract I)

8. Lender does not have a current appraisal of the Property. According to the records of the Tax Assessor of Davidson County, said Property has a value of $135,400.00. Based upon Borrower's financial statements and information furnished Lender, the cash flow generated by the real property and the general status of similar properties, it is best opinion of Lender that the Property is not worth more than the debt owing Lender and real property taxes. (Tract II)

9. Lender does not have a current appraisal of the Property. According to the records of the Tax Assessor of Davidson County, said Property has a value of $106,000.00. However, based upon Borrower's financial statements and information furnished Lender, the cash flow generated by the real property and the general status of similar properties, it is best opinion of Lender that the Property is not worth more than the debt owing Lender and real property taxes. (Tract III)

10. For your information, I am enclosing a copy of the Foreclosure Sale Notice which I have prepared and issued on behalf of Lender in my capacity as Substitute Trustee, setting the foreclosure sale for the 7th day of June, 2005, at 10:15 o'clock a.m. at the entrance to the Davidson County Register of Deeds, Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee.

This notice and application for consent to sale is submitted in duplicate, and it is requested that a copy of this notice be acknowledged and returned to my office, indicating the date and time of your receipt.

The facts stated in this letter are true to the best of my knowledge, information, and belief.

Sincerely,

Sam J. McAllester III
Attorney for Regions Bank

SJM/krm
Enclosures

N0009601

5528316041012

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:

ENTITY ID:

FLETCHER AND FRY REAL ESTATE ENTERP

005 0430396 /000

D/B/A: FLETCHER AND FRY REAL ESTATE ENTERP
405 VADIS CT
OLD HICKORY TN 37138-1965

005 0430396

COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on October 12, 2004.

COMMISSIONER OF REVENUE

By: William E Hanks

Delegate of Commissioner

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STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

June 10, 2005

Sam McAllester, III
Bone, McAllester & Norton, PLLC
511 Union Street, Suite 1600
Nashville, TN 37219

Re: Foreclosure Sale of Property Owned by: **Fletcher & Fry Real Estate Enterprises**
Entity Number: **005 0430396**

Dear Mr. McAllester:

This is in reference to your letter dated June 7, 2005 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **August 2, 2005** is **$1,396.19**.

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (closing statement), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Becky Tellas

Becky Tellas, Supervisor
Special Procedures Section
Revenue Enforcement Division

BT/rp

c: *file*