Davidson County DEEDTRS
Recvd: 09/22/05 13:16 2 pgs
Fees:13.00 Taxes:366.30
20050922-0113909

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
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Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

Name: Joyce Cuetara,
S&K#: 05-1542
Loan#: 1205099221

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 5, 2004, recorded in Instrument Number 20040819-0100369, in the Register's Office of Davidson County, Tennessee, Jorge Cuetara, a married man, conveyed to Statewide Title & Escrow, 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 20050812-0095568, 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 September 12, 2005, at the Davidson County Courthouse in Nashville, Tennessee, at 1:00 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 James Roberts, whose address is 201 Thompson Lane Suite 200 Nashville, Tennessee 37211, at and for the sum of $75,684.10, that being the highest and best bid offered; and,

WHEREAS, the purchaser, James Roberts, 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 James Roberts, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Denise Griffin, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said James Roberts, his heir successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Old Hickory, County of Davidson, State of Tennessee, to-wit:

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

Lots 1, 2, and 3 on the Map of Hadley Subdivision Old Hickory, Tennessee, of record in Book 547, page 125, Register's Office for said county.

Lot Number 1 fronts 65.2 feet on the southeasterly side of Davis Avenue and runs back 13.9 feet on the southwesterly line and 135 on the northeasterly line, with the southwesterly margin of Robinson Avenue, to an alley, measuring 38 feet thereon.

Lot Numbers 2 and 3 front together 100 feet on the southwesterly side of Davis Avenue and runs back between parallel lines 131.9 feet to an alley.

This legal description is identical with that in Deed of Trust recorded in Instrument Number 20040819-0100369, 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 Instrument Number 20040819-0100369, in the Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Instrument Number 20020830-0105169, 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 James Roberts, his heir successors and assigns, in fee simple forever, to whom the said Denise Griffin, 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 Denise Griffin, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Denise Griffin
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 12th day of September 2005, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Denise Griffin, 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.

12-13-08
My commission expires:

Notary Public

JAMIE D. HARPOLE
STATE OF TENNESSEE NOTARY PUBLIC
Shelby County
My Comm. Exp. 12-13-08

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 $75,684.10 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me on the _____, day of _____, 2005.

Notary Public

PROPERTY ADDRESS: 308 Ensley Avenue, Old Hickory, TN 37138

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
James Roberts
201 Thompson Lane Suite 200
Nashville, Tennessee 37211

S & K #:05-1542
Map & Parcel – 044-05-0 170.00

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

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 99,000
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 23rd DAY OF Sept 20 05
Deputy Register