This instrument prepared by:
J. PHILLIP JONES
ATTORNEY AT LAW
SUITE C-205, NASHVILLE HOUSE
ONE VANTAGE WAY
NASHVILLE, TN 37228
Map 93-A, Parcel 19
623 SHELBY AVENUE
NASHVILLE, TN 37206

NO MORTGAGE
New Owner - Send Tax Bills:
SHARON G. HOLT
3039 FREEMAN HOLLOW
)ODLETTSVILLE, TN 37072

Davidson County DEEDTRS
Recvd: 10/14/05 15:55 3 pgs
Fees:17.00 Taxes:0.00
20051014-0124435

Davidson County DEEDTRS
Recvd: 10/03/05 09:57 2 pgs
Fees:13.00 Taxes:600.11
[redacted]
20051003-0118235

RE-RECORD

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on **December 16, 2003, EMMETT JAMES HOUSE OR BILL R. McLAUGHLIN** was named Trustee in a Deed of Trust of even date executed by **DAVID A. SIMMONS, AN UNMARRIED PERSON**, conveying to them as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of **$155,500.00**, principal and interest at **8.000%** per annum on the unpaid balance, said Deed of Trust being recorded in **Instrument no. 20031223-0182473** in the Register's Office for **DAVIDSON** County, Tennessee; and

WHEREAS, **I. DYKE TATUM**, was appointed Substitute Trustee under said Deed of Trust by instrument of record in **INSTRUMENT # 20041228-0152630** in the Register's Office for **DAVIDSON** County, Tennessee; **I, I. DYKE TATUM**, Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3) successive publications, namely: **SEPTEMBER 1, 2005/SEPTEMBER 8, 2005/SEPTEMBER 15, 2005** in **THE NASHVILLE RECORD**, a newspaper of general circulation in **DAVIDSON** County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on **FRIDAY, SEPTEMBER 30, 2005, at 10:00 A.M. OUTSIDE THE DOOR OF THE DAVIDSON COUNTY REGISTER OF DEEDS WHICH IS INSIDE THE GAYLORD ENTERTAINMENT CENTER AT 501 BROADWAY, SUITE 501 (ENTER THE NORTHWEST ENTRANCE NEAR 6TH AVENUE SOUTH) IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE.** I, **I. DYKE TATUM**, as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time **SHARON G. HOLT, 3039 FREEMAN HOLLOW, GOODLETTSVILLE, TN 37072**, submitted the highest and best bid in the amount of **$162,192.12.**

NOW THEREFORE, in consideration of the premises, I, **I. DYKE TATUM**, Substitute Trustee, do hereby sell, transfer and convey to **SHARON G. HOLT**, its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

PROPERTY LOCATED IN THE COUNTY OF DAVIDSON, TENNESSEE:

Land in Davidson County, Tennessee, being Lot No. 49 on the Plan of J.S. Williams Addition of record in Plat Book 21, Page 45, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being the same property conveyed to David A. Simmons by deed dated December 16, 2003, as of record in Instrument No. 20031223 0182472, Register's Office for Said County.

I, **I. DYKE TATUM**, Substitute Trustee, convey to **SHARON G. HOLT** all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at Nashville, Tennessee, on **SEPTEMBER 30, 2005**

I. DYKE TATUM
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **I. DYKE TATUM**, Substitute Trustee, 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 and official seal at office at Nashville, Tennessee on **SEPTEMBER 30, 2005**

Notary Public

My Commission Expires: 3-21-09

JOYCE FULTZ
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Expires March 21, 2009

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is **$162,192.12**

Affiant

Subscribed and sworn to before me, this 30TH day of SEPTEMBER, 2005.

Notary Public

My Commission Expires: 3-21-09

JOYCE FULTZ
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Expires March 21, 2009

RETURN TO:
J. PHILLIP JONES
TATUM & JONES, PLLC
SUITE C-205, NASHVILLE HOUSE
ONE VANTAGE WAY
NASHVILLE, TN 37228

Law Offices
of
TATUM & JONES, PLLC

I. Dyke Tatum
J. Phillip Jones
Ben H. Thomas

Suite C-205, Nashville House
One Vantage Way
Nashville, TN 37228

Phone (615)254-4430
Fax (615)254-4671

August 25, 2005

HAND DELIVERED

Tennessee Department of Revenue
500 Deaderick Street
Nashville, TN 37242

RECEIVED
05 AUG 31 AM 9:40
INTERNAL REVENUE SERVICE
SEIZED PROPERTY SUPPORT
CASE PROCESSING
AREA 8

Re: Borrower/Taxpayer: DAVID A. SIMMONS
Entity ID No.: 002-406-08-4503/000
Foreclosure Sale Date: SEPTEMBER 30, 2005
Property: 623 Shelby Avenue
Nashville, TN 37206

Dear Sir or Madam:

This will serve as notification to the Tennessee Department of Revenue that real property and improvements which are affected by a State Tax Lien referred to above will be sold at a foreclosure sale being conducted on behalf of the first mortgage holder to the highest bidder on FRIDAY, A SEPTEMBER 30, 2005 AT 10:00 A.M., OUTSIDE THE DOOR OF THE DAVIDSON COUNTY REGISTER OF DEEDS WHICH IS INSIDE THE GAYLORD ENTERTAINMENT CENTER AT 501 BROADWAY, SUITE 501 (ENTER THE NORTHWEST ENTRANCE NEAR 6TH AVENUE SOUTH) IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE. The property is more particularly described in the attached documentation.

Please find the following attached:

1. Copy of the State Tax Lien;
2. Copy of the Deed of Trust being foreclosed;
3. Copy of the Notice of Publication.

The approximate outstanding balance of the Promissory Note which is secured by the Deed of Trust being foreclosed is $ 162,672.31 . This amount includes an unpaid principal balance of $153,744.38 plus accrued interest, late charges, escrow advance, securing and protection expenses and/or attorney's fee which combined total approximately $8,927.93. The holder of the indebtedness expects to bid the total outstanding balance, but it reserves the right to bid less if circumstances justify in order to preserve a deficiency.

Please forward your acknowledgment of this Notice to the above stated address. If you have any questions or require anything further, please do not hesitate to contact me.

Sincerely,

TATUM & JONES, PLLC

J. Phillip Jones

JPJ/jf
Enclosures

RECEIVED BY: Kimberly Kross

DATE: 08-31-05