PREPARED BY:
B. Paul Hatcher, Esq.
Duncan & Hatcher
701 Market Street, Suite 1000
Chattanooga, Tennessee 37402

Davidson County DEEDTRS
Recvd: 11/28/05 09:18 6 pgs
Fees:33.00 Taxes:424.46
20051128-0142414

SEND TAX NOTICE TO:
Grantee- CIT Group/Consumer Finance, Inc.
101 N. Brand Blvd. Suite #1800
Glendale, CA 91203
MAP GROUP AND PARCEL NUMBER: 64-4-66

TRUSTEE'S DEED

WHEREAS, a Deed of Trust was executed by Troy Lee Venable and Jerresttsa G. Venable, to Ernest B. Williams, IV, Trustee, dated January 10, 2001, of record in **Instrument No. 20010209-0013046** and the present owner and holder of the indebtedness being The CIT Group/Consumer Finance, Inc., and recorded in the Register's Office of Davidson County, Tennessee; and

WHEREAS, under the terms of said Deed of Trust, B. Paul Hatcher was appointed substitute trustee on May 10, 2005 which is recorded in **Instrument No. 200505190056675** in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in payment of installments maturing on the above described promissory note and in performance of the covenants contained in the Deed of Trust by reason of which the entire balance owing thereon was declared due and payable, the default being made in payment thereof, and such default continuing; and

WHEREAS, by virtue of the power and authority vested in him as substitute trustee, the said B. Paul Hatcher, at the request of the owner of said note, and for the purpose of effecting payment in satisfaction thereof, principal and interest, attorney's fees and costs of sale, pursuant to the advertisement published in the *Nashville Record and The Lebanon Democrat,* newspapers published and of general circulation in Davidson and Wilson County, Tennessee, in its issues of October 27, 2005, November 3, 2005, and November 10, 2005 offered for sale and sold on November 17, 2005 at 10:00 a.m., at public outcry to the highest and best bidder for cash at the courthouse in the City of Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale, The CIT Group/ Consumer Finance, Inc. being the highest and best bidder, and for the sum of **ONE HUNDRED FOURTEEN THOUSAND SEVEN HUNDRED EIGHTEEN AND 00/100 DOLLARS ($114,718.00)** became the purchaser thereof.

NOW THEREFORE, B. Paul Hatcher, substitute trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does

hereby sell, transfer and convey unto **The CIT Group/ Consumer Finance, Inc.**, the following described property located at: **4649 Woodside Drive, Old Hickory, TN 37138**, and more particularly described as follows:

> Being Lot No. 59 on the Plan of Woodside Subdivision, Section II, of record in Plat Book 5200, page 98 in the Register's Office of Davidson County, Tennessee and Plat Book 16, page 147 in the Register's Office of Wilson County, Tennessee, to which references are hereby made for a more complete description of said lot.
>
> Being the same property conveyed to Troy Lee Venable and wife, Jerrettsa G. Venable by Warranty Deed from Larry R. Swindle, dated 1-10-01 and recorded 2-9-01 in Instrument No. 20010209-0013045, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE is made subject to any and all prior unpaid mortgages and liens, zoning regulations, building restrictions and setback lines, restrictive covenants, if any, and easements and rights for public utilities applicable to this property, and real estate taxes which may be outstanding and due as of date of sale.

THIS CONVEYANCE is subject to the State of Tennessee's right to redeem as provided in TCA 67-1-1420.

TO HAVE AND TO HOLD the said described real estate unto CIT Group/Consumer Finance Inc., its successors and assigns forever in fee simple.

IN WITNESS WHEREOF, B. Paul Hatcher, Esq., substitute trustee, has caused this instrument to be executed on this the 22nd day of November 2005.

B. Paul Hatcher-Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, notary public of said county, B. Paul Hatcher, 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 as Substitute Trustee.

Witness my hand, at office, this the 12 day of November 2005.

Lesley A. Curry NOTARY PUBLIC At Large Hamilton County, Tennessee

Notary Public Lesley A. Curry My Commission Expires: September 9, 2009

I swear that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $114,718.00 which amount is equal to or greater than the amount which the property transferred would commend at a fair and voluntary sale.

Affiant - AGENT

Sworn to and subscribed before me this 22 day of November 2005.

Lesley A. Curry NOTARY PUBLIC At Large Hamilton County, Tennessee

Notary Public Lesley A. Curry My Commission Expires: September 9, 2009

DUNCAN & HATCHER
ATTORNEYS AT LAW

STUART E. DUNCAN
B. PAUL HATCHER
MOLLIE M. CORN

A PROFESSIONAL CORPORATION
SUITE 1000 FIRST TENNESSEE BUILDING
701 MARKET STREET
CHATTANOOGA TN 37402-4860
EMAIL dh@duncanhatcher.com
TEL 423-266-2207
FAX 423-265-8907

SHALLOWFORD OFFICE
2221-B OLAN MILLS DRIVE
SUITE 200
CHATTANOOGA, TN 37421

October 12, 2005

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
Mr. Wilbur E. Hooks
Tennessee Department of Revenue
Tax Enforcement Division
P.O. Box 190665
Nashville, Tennessee 37219-0665

Re: Foreclosure sale (Section 67-1-1433)
Taxpayer: Troy Venable
Taxpayer ID No.: 002[redacted]-7703
County: Davidson County
Property: 4649 Woodside Drive, Old Hickory, TN 37138-1938
Lien Identification: Instrument No. 20040331-0036047

Foreclosure sale (Section 67-1-1433)
Taxpayer: Troy Venable
Taxpayer ID No.: 002[redacted]-7703
County: Wilson County
Property: 4649 Woodside Drive, Old Hickory, TN 37138-1938
Lien Identification: Book 989 Page 735

Foreclosure sale (Section 67-1-1433)
Taxpayers: Troy Venable and George Hodges d/b/a Console Services
Taxpayer ID No.: 002[redacted]7703; 001 62-1719877
County: Wilson County
Property: 4649 Woodside Drive, Old Hickory, TN 37138-1938
Lien Identification: Book 995 Page 460

Dear Mr. Hooks:

An examination of the Register's Offices of Davidson and Wilson Counties in Tennessee reveal the above-mentioned State Tax Liens. This notice is given pursuant to T.C.A. Section 67-1-1433 (b) (1). Please be advised that CIT Group/Consumer Finance, Inc P.O. Box 630, Marlton, NJ 08053-3941 is the owner and the holder of a note, which is secured by a Deed of Trust executed on January 10, 2001 and recorded as Instrument No. 20010209-0013046, in the Register's Office

of Davidson County, Tennessee. A copy of the Note, Deed of Trust and Assignments are attached hereto. The property is located at 4649 Woodside Drive, Old Hickory, Tennessee 37138 and is more particularly described as follows:

> Being Lot No. 59 on the Plan of Woodside Subdivision, Section II, of record in Plat Book 5200, page 98 in the Register's Office of Davidson County, Tennessee and Plat Book 16, page 147 in the Register's Office of Wilson County, Tennessee, to which references are hereby made for a more complete description of said lot.
>
> Being the same property conveyed to Troy Lee Venable and wife, Jerrettsa G. Venable by Warranty Deed from Larry R. Swindle, dated 1-10-01 and recorded 2-9-01 in Instrument No. 20010209-0013045, Register's Office for Davidson County, Tennessee.

The outstanding principal balance plus accrued interest is approximately $143,233.38. In addition to this amount, certain expenses will be incurred at the time of foreclosure. Said expenses are for the following and are estimated charges:

Attorney's fees	$1,500.00
Advertising	$668.75
Miscellaneous & certified mail	$250.00
State transfer tax and recording fees	$700.00
Total	$3,118.75

The address of the party initiating the foreclosure proceeding is The CIT Group/Consumer Finance, Inc P.O. Box 630, Marlton, NJ 08053-3941

The name and address of the person submitting the Notice of Sale is B. Paul Hatcher, Attorney, c/o Duncan and Hatcher, PC 701 Market Street, Suite 1000, Chattanooga, Tennessee 37402.

We believe that the Deed of Trust now held by CIT Group/Consumer Finance, Inc. is the first mortgage on the property. A check of the Register's Office for Davidson and Wilson Counties in Tennessee reveal the following State Tax Liens and additional Deed of Trust:

1. There exists a Tennessee State Tax Lien assessed to Troy Venable dated March 20, 2004 and recorded on March 31, 2004 as Instrument No. 20040331-0036047 in the Register's Office of Davidson County, Tennessee.

2. There exists a Tennessee State Tax Lien assessed to Troy Venable dated June 25, 2003 and recorded on June 30, 2003 in Book 989, page 735 in the Register's Office of Wilson County, Tennessee.

3. There exists a Tennessee State Tax Lien assessed to Troy Venable and George Hodges dated July 19, 2003 and recorded July 22, 2003 in Book 995, page 460 in the Register's Office of Wilson County, Tennessee.

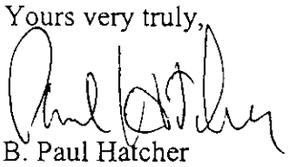
4. There exists a Deed of Trust from Troy Lee Venable and wife Jerrettsa G. Venable securing Larry Swindle in the amount of $22,380.00 dated February 8, 2001 and recorded on March 5, 2001 in Instrument No. 20010305-0020127 and re-recorded August 21, 2003 in Instrument No. 20030821-0121475 in the Register's Office of Davidson County, Tennessee.

We have begun foreclosure proceedings with the following publication dates: October 27, 2005, November 3, 2005, and November 10, 2005. The date of the foreclosure is scheduled for November 17, 2005 at 10:00 a.m., commencing outside the main entrance of the Davidson County Register's Office, 501 Broadway, Gaylord Entertainment Center, Nashville, TN proceeding to sell at public outcry for cash to the highest bidder in bar of all right and equity of redemption.

If you should have any questions, please do not hesitate to contact me. Please advise if this letter meets all requirements of the Tennessee Code and applicable Department of Revenue regulations. Thank you for your assistance in this matter.

This application is made under penalties of perjury pursuant to Rule 1320-2-1 (2) (b).

Yours very truly,



B. Paul Hatcher

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

October 18, 2005

B Paul Hatcher
Duncan & Hatcher Attorneys at Law
Suite 1000 First Tennessee Bank
701 Market Street
Chattanooga, TN 37402-4860

Re: Foreclosure Sale of Property Owned by: **Troy Venable**
Entity Number: **002 410-98-7703 / 621719877**

Dear Mr. Hatcher:

This is in reference to your letter dated October 12, 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 **November 17, 2005** is **$2,076.06**.

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, Supervisor
Special Procedures Section
Revenue Enforcement Division

BT/rp

c: *file*