Davidson County DEEDTRS
Recvd: 12/19/05 15:45 3 pgs
Fees:18.00 Taxes:214.60
20051219-0152176

ADDRESS OF NEW OWNER
Timothy and Fred Stier
2334 Hobson Pk
Antioch TN 37013

SEND TAX BILLS TO:
SAME

MAP/PARCEL NO.
151-0-78.00

THIS INSTRUMENT PREPARED BY: Oldham & Dunning, LLC, 109 Public Square, Gallatin, TN 37066 (615) 452-1001.

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated the 6th day of June, 2003, recorded in Instrument Number 20030618-0083875, Register's Office of Davidson County, Tennessee, IRMA CORTEZ, UNMARRIED AND AMALIA BATRES, UNMARRIED, conveyed to T. MIKE ESTES, 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, 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 said Deed of Trust by which advertisement the sale was appointed to be held on Wednesday, December 7, 2005, at the front door of the main entrance to the Davidson County Register of Deeds Office located at the corner of Broadway and 6th Avenue in the Gaylord Entertainment Center, Nashville, Tennessee, Tennessee, at 10:00 a.m.; 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 TIMOTHY A. STIER AND FRED A. STIER (hereinafter referred to as "Grantee") for the sum of $58,000.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser 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 Grantee, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, BRUCE N. OLDHAM, SUBSTITUTE TRUSTEE, having been appointed Substitute Trustee of record in Instrument Number 20051118-0139742, Register's Office of Davidson County, Tennessee, does hereby grant, bargain, sell and convey to the said Grantee, his/her/its heirs, successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Davidson County, State of Tennessee, to-wit:

Land located in the 2nd Civil District of Davidson County, Tennessee; bounded on the north by Hobson Pike, on the east by property belonging to Preston Wilson, Deed Book 5917, Page 72; and on the south by properly belonging to Frank Lombardo, Deed Book 6676, Page 937, and more precisely described as follows:

Beginning on an iron pin in the south margin of Hobson Pike Right-of-Way, located approximately 0.7 of a mile northeast of the intersection of Hamilton Church Road and Hobson Pike; thence leaving the Right-of-Way and going with Wilson's line the next three calls: South 43 deg. 31 min. 33 sec. East, 93.11 feet to an iron pin; South 49 deg. 38 min. 06 sec. East, 57.53 feet to an iron pin; South 3 deg. 30 min. 00 sec. West, 542.22 feet to an iron pipe by a four (4) foot high cedar stump in a rock fence; thence with Frank Lombardo's line, North 89 deg. 07 min.

41 sec. West, 556.27 feet to a concrete monument on the south margin of Hobson Pike Right-of-Way; thence with the south margin of the Right-of-Way, North 37 deg. 52 min. 22 sec. East, 783.03 feet to an iron pin at the point of beginning and containing 4.79 acres, more or less.

Being the same properly conveyed to Irma Cortez, unmarried and Amalia Batres, unmarried by Warranty Deed from Cumberland Properties, LLC, dated June 6, 2003 and recorded on 6/18/03 at Instrument # 20030618-0083874, Register's Office for Davidson County, Tennessee.

Map & Parcel: 151-0-78.00.

Property address: Hobson Pike, Antioch, Tennessee 37013. In the event of any discrepancy between the property address and the legal description, the legal description shall control.

Subject to any unpaid taxes, prior liens, easements and restrictions. Grantee will be responsible for payment of all back taxes and rollback taxes, if any. This property is sold "as is, where is" with no warranties, express or implied, as to the condition of the property or the suitability of the property for any particular purpose.

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 to Grantee his/its heirs, successors and assigns, in fee simple forever, to whom the said BRUCE N. OLDHAM, 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. The Substitute Trustee expressly disclaims any warranties concerning any matters that an accurate survey of the premises might disclose, including boundaries, amount of acreage, rights of parties in possession, encroachments, and easements, as well as any other matters not expressly provided herein.

IN WITNESS WHEREOF, the said BRUCE N. OLDHAM, SUBSTITUTE TRUSTEE, has hereunto set his hand and seal on Wednesday, December 7, 2005.

BRUCE N. OLDHAM
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On Wednesday, December 7, 2005, before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared the within named bargainor, BRUCE N. OLDHAM, as Substitute Trustee, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this day and year above written.

SUE H. DUNNING NOTARY PUBLIC AT LARGE SUMNER CO., TENN.

Sue H. Dunning
NOTARY PUBLIC
My Commission Expires: 4/22/05

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, that the actual consideration for this transfer or value of the property transferred, whichever is greater is $58,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

BRUCE N. OLDHAM

SUBSCRIBED and sworn to before me this the 7th day of December, 2005.

SUE H. DUNN NOTARY PUBLIC DAVIDSON CO., TENN.

NOTARY PUBLIC
My Commission Expires: 4/22/08