FILE NO.: 05-08610

THIS INSTRUMENT PREPARED BY AND RETURN TO:
M. TODD JACKSON, ATTORNEY
TN Bar #23455
BROCK & SCOTT, PLLC
ARBORETUM CENTRE BUILDING II
5919 OLEANDER DRIVE, SUITE 115

Davidson County DEEDTRS
Recvd: 01/13/06 10:34 2 pgs
Fees:13.00 Taxes:408.85
20060113-0005337

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Carol Halpin and Catherine M. Halpin, both unmarried conveyed to Gail C. Victory as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth in a Deed of Trust dated November 11, 2004, and recorded in the Office of the Register of Deeds of Davidson County, Tennessee, in Instrument No. 20041119-0139216; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to **Fremont Investment & Loan**; and

WHEREAS, Fremont Investment & Loan, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at Instrument No. 20051213-0149592, in the Office of the Register of Deeds of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, at the time and place mentioned in referenced advertisement, M. Todd Jackson, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Marty Penix, being the best, highest and last bidder, became the purchaser of said property at and for the sum of **$110,501.00**; and

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust; and

NOW, THEREFORE, in consideration of the premises and of the payment by Marty Penix as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Brock & Scott, PLLC**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto Marty Penix, its/his/her successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Land in Davidson County, Tennessee, being Lot No. 3 on the Map of Primrose Acres Subdivision, of record in Plat Book 2663, page 107, Register's Office for Davidson County, Tennessee.

Said Lot No. 3 fronts 115 feet on the northerly margin of Woodslake Drive and extends back between lines, 316.7 feet on the westerly line and 317.5 on the easterly line to a deed line in the rear, measuring 115 feet thereon.

Being the same property conveyed to Carol Halpin and Catherin M. Halpin, both unmarried, by deed from Lucille Gordon, unmarried, of record in Instrument No. 20041119-0139215, Register's Office for Davidson County, Tennessee.

Property commonly known as 905 Woods Lake Drive, Madison, TN 37115.

The last recorded Warranty Deed was filed of record at Instrument No. 20041119-0139215, in the Office of the Register of Deeds of Davidson County, Tennessee.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said Marty Penix, its/his/her successors and assigns forever, to whom the said, Brock & Scott, PLLC,

as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further or otherwise.

IN TESTIMONY WHEREOF, Attorney M. Todd Jackson of Substitute Trustee, has hereunto set his hand, this 10th day of January, 2006.

Brock & Scott, PLLC

By: _____
M. TODD JACKSON, Manager
TN Bar #23455
Brock & Scott, PLLC
Substitute Trustee
5919 Oleander Drive, Suite 115
Wilmington, NC 28403

STATE OF Tennessee
COUNTY OF Williamson

Before me, a Notary Public in the State and County aforementioned personally appeared **M. Todd Jackson**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the Manager of Brock & Scott, the within named bargainor a PLLC, and that such person as such Manager executed the forgoing instrument for the purpose therein contained by signing the name of the PLLC by such person as Manager.

WITNESS my hand and Notarial Seal the day and year above written.

_____
Notary Public

SUSAN HARVILLE NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

MY COMMISSION EXPIRES OCTOBER 21, 2007

My Commission Expires: _____

STATE OF Tennessee
COUNTY OF Williamson

I hereby swear or affirm that to the best of my knowledge, belief and information, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $110,501.00, 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 this 10th day of January, 2006.

_____
Notary Public

SUSAN HARVILLE NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

My Commission Expires: MY COMMISSION EXPIRES OCTOBER 21, 2007

Brock & Scott File No.: 05-08610
Property Address: 905 Woods Lake Drive, Madison, TN 37115
Tax Parcel I.D. No.: 042.03-0-004.00

Property Owner and Tax Notices:
Marty Penix
3735 N. Mt. Juliet Road, Suite 101
Mount Juliet, TN 37122