THIS INSTRUMENT PREPARED BY & RETURN TO:
Joel A. Freedman, Attorney
Priority Trustee Services of TN, L.L.C.
1587 N.E. Expressway
ATLANTA, GA 30329

Davidson County DEEDTRS
Recvd: 01/26/06 11:41 2 pgs
Fees:13.00 Taxes:212.29
20060126-0009956

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 3, 2000, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument 200011170114105, ("Deed of Trust"), Rhonda Moore and Jerry L. Moore conveyed to Rudy Title & Escrow, 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; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Bankers Trust Company as Custodian; and

WHEREAS, **Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200512300156665** in the Register's Office 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, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 12/29/05, 01/05/2006, 01/12/06, in THE NASHVILLE RECORD, by which advertisement the sale was held on January 19, 2006, at the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Higgins, Himmelberg & Piliponis, P.L.L.C., 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 and James L. Deatrick, Jr**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of **$ 57,376.00**; and

WHEREAS, **Marty Penix and James L. Deatrick, Jr** has/have 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;

NOW, THEREFORE, in consideration of the premises and of the payment by **Marty Penix and James L. Deatrick, Jr** as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Marty Penix and James L. Deatrick, Jr**, his/her/their successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being Lot No. 105, Section A, Village of Old Hickory, as shown on plan recorded July 16, 1948 in Book 1424, Page 68, in Register's Office for Davidson County, Tennessee; located on southeast corner of the intersection of Hadley and Fifth Streets, containing 0.18 acres, more or less. Property is subject to all matters appearing of record in Plat Book 1424, Page 68, Register's Office for said County.
Being the same property conveyed to the within named grantors by Quitclaim Deed of even date, such instrument being recorded simultaneously herewith.
This conveyance is subject to any and all existing easements and restrictions of record.

The last recorded Warranty Deed was filed of record at Instrument No. 20001117-0114104 in the Register's Office 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 forever, to **Marty Penix and James L. Deatrick, Jr**, his/her/their successors and assigns, whom the said, **Priority Trustee Services of TN, L.L.C.**, 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 nor otherwise.

IN TESTIMONY WHEREOF, **Priority Trustee Services of TN, L.L.C.**, Substitute Trustee, has hereunto set his hand, this 19th day of January, 2006.

Priority Trustee Services of TN, L.L.C.
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On this 19th day of January, 2006, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared , Dionne Simmons, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Priority Trustee Services of TN, L.L.C.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the limited liability company by himself or herself as such officer or member.

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

ROBIN M. WALKER NOTARY PUBLIC GEORGIA EXPIRES APRIL 12, 2009 DEKALB COUNTY

Notary Public

My Commission Expires: _____

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STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 57,376.00, 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 19th DAY OF JANUARY 2006.

ROBIN M. WALKER NOTARY PUBLIC GEORGIA EXPIRES APRIL 12, 2009 DEKALB COUNTY

Notary Public

My Commission Expires: _____

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MSP No.: 604.026925TN (Moore)
Lender Loan No.: 0011299569
Property Address: 501 Hadley Avenue, Old Hickory, TN 37138
Tax Parcel ID No.: 44-11; 94.00

Mail Tax Notices To and Property Owner:
Marty Penix and James L. Deatrick, Jr
3735 N. Mt. Juliet Rd. #101
Mt. Juliet, TN 37122