RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Carl Byrd and Virginia Byrd

GRANTEE(s)
James Deatrick Jr. and Marty L. Penix

This Instrument Prepared By:
Robert M. Wilson, Jr.
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDTRS
Recvd: 04/04/06 11:03 2 pgs
Fees:13.00 Taxes:420.10
20060404-0038230

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 17, 2004 and recorded December 22, 2004, as Instrument No. 20041222-0152129 in the Register's Office of Davidson County, Tennessee, Carl Byrd and Virginia Byrd conveyed to Southern Title, as Trustee for Mortgage Electronic Registration Systems, Inc., solely as Nominee for Michigan Fidelity Acceptance Corp d/b/a Franklin Mortgage Funding and Michigan Fidelity Acceptance Corp d/b/a Franklin Mortgage Funding's Successors & Assigns, 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, the holder of the debt secured has appointed **AARON SQUYRES** as Successor Trustee and **LESLIE GARRETT** as Co-Trustee by instrument of record recorded on January 3, 2006 as Instrument No. 20060103-0000027 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 has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale of said property was, by said Successor Trustee, made and given conformity with the terms and provisions of said Deed of Trust, and

WHEREAS, pursuant to said advertisement and notice, on March 22, 2006 at the GAYLORD ENTERTAINMENT CENTER, 501 BROADWAY in Nashville, Tennessee, 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 James Deatrick Jr. and Marty L. Penix, at and for the sum of $113,539.32, 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 Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by James Deatrick Jr. and Marty L. Penix of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to the said James Deatrick Jr. and Marty L. Penix, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being all of Lot No. 22, on the Final Plat, Mt. View Subdivision, Section One, as shown by plat appearing of record in Plat Book 11700, Page 36, as amended in Instrument No. 20010207-0012283, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lot. Being the same property conveyed to Carl Byrd, married by deed from Thoroughbred Construction, LLC, a Tennessee Limited Liability Company, as of record in Instrument Number 20041222-0152128, Register's Office for said County. Virginia Byrd, spouse of Carl Byrd, executed this document, with the consent of the grantor spouse, for the purpose of waiving homestead and/or other marital rights that may be granted to a spouse by law in the property and/or which might be asserted against the trustee, beneficiary, mortgagee, or their successors and/or assigns in enforcing any rights
>
> Commonly known as: 3532 Mount View Ridge Drive, Antioch, Tennessee 37013.
> Tax Parcel No.: 150-12-0-C-022

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto James Deatrick Jr. and Marty L. Penix, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 22th day of March, 2006.

Leslie Garrett

Leslie Garrett, Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF ~~PULASKI~~ Prairie

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Leslie Garrett, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 28th day of March, 2006.

James A. Raper
Notary Public-State of Arkansas
Prairie County
My Commission Expires 8/2/2015

Notary Public

My Commission Expires: 8/2/2015

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $113,539.32, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Marty Penix

James Deatrick Jr. and Marty L. Penix

ACKNOWLEDGMENT

STATE OF Tennessee

COUNTY OF Wilson

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Jimmy Deatrick, Marty Penix, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in Mt. Juliet, Tn. this 30th day of March, 2006.

Barbara C. Parrish

Notary Public

My Commission Expires: 4-28-2008

BARBARA C. PARRISH
NOTARY PUBLIC AT LARGE

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
James Deatrick Jr. and Marty L. Penix
1285 N. Mount Juliet Road
Mount Juliet, TN 37122