Davidson County DEEDTRS
Recvd: 06/30/06 15:06 10 pg
Fees:53.00 Taxes:1905.50
20060630-0078745

This Instrument Prepared By:
Greenebaum Doll & McDonald, PLLC
700 Two American Center
3102 West End Avenue
Nashville, Tennessee 37203

Address New Owner:	Send Tax Bills To:	Map and Parcel No:
U.S. Bank, N.A. SBA Division 9918 Hibert Strett San Diego, CA 92131 Attn: Curtis DeMers, Special Assets Officer	SAME	Map 149-0 Parcel No. 169

SUCCESSOR TRUSTEE'S DEED

This Successor Trustee's Deed is made and entered into on this the 30th day of June, 2006, by Darlene T. Marsh, Successor Trustee ("Successor Trustee").

WHEREAS, by Tennessee Deed of Trust, Security Agreement and Assignment of Rents and Leases (including fixture filing under Uniform Commercial Code) dated January 16, 2004, of record at document number 20040116-0006987, Register's Office for Davidson County, Tennessee; Construction 2nd Tennessee Deed of Trust, Security Agreement and Assignment of Rents and Leases (including fixture filing under Uniform Commercial Code) dated January 16, 2004, of record at document number 20040116-0006988, said Register's Office; and Construction 3rd Tennessee Deed of Trust, Security Agreement and Assignment of Rents and Leases (including fixture filing under Uniform Commercial Code) dated January 16, 2004, of record at document number 20040116-0006989, said Register's Office (the "Deeds of Trust"), JDJ Enterprises, Inc. conveyed to William Rosenburg, Trustee, the property (as hereinafter defined), to secure, among other things, the payment of certain Notes (the "Notes"), of even date therewith, in the original principal amount of one hundred seventy thousand dollars ($170,000.00), five hundred twenty seven thousand five hundred dollars ($527,500.00) and one hundred nine thousand dollars ($109,000.00) (the "Indebtedness"); and

WHEREAS, U.S. Bank N.A. is the owner and holder of the Notes secured by the Deeds of Trust; and

WHEREAS, by instrument dated March 2, 2006, of record at document number 20060307-0026221, as re-recorded at document number 20060317-0030888, and as re-recorded as document number 20060327-0034251 said Register's Office, the owner and older of the debt secured by the Deeds of Trust appointed Darlene T. Marsh as Successor Trustee, in accordance with the provisions contained in said Deeds of Trust; and

WHEREAS, the entire Indebtedness secured by the above referenced Deeds of Trust has matured and is past due and unpaid; and

WHEREAS, The Tennessee Department of Revenue filed a Notice of Tax Lien ("Tax Lien Notice") against JDJ Enterprises Incorporated, 1312 Sweetwater Drive, Brentwood, Tennessee 37027-7871, dated April 19, 2006, of record at Instrument Number 20060419-0045049, said Register's Office; and

WHEREAS, the Notice required by T.C.A. § 67-1-1433(b)(1) to be given to the state was timely given, a copy of which is attached hereto as Exhibit A; and

WHEREAS, a copy of the state's response to such notice is attached hereto as Exhibit B; and

WHEREAS, said Successor Trustee caused notice to be published in The Nashville Record, a newspaper published in Davidson County, Tennessee, that the Property would be sold at 10:00 a.m. on Friday, April 28, 2006 at the Broadway entrance of the Register's Office for Davidson County, Tennessee, located in the Gaylord Entertainment Center, 501 Broadway, Nashville, Tennessee 37203 (the "Foreclosure Notice"), such Foreclosure Notice appearing in said paper on Thursday, April 6, 2006, Thursday, April 13, 2006, and Thursday, April 20, 2006; and

WHEREAS, David W. Houston, IV, as agent of the Successor Trustee, at the time, place and date specified in the Foreclosure Notice, announced that the Foreclosure Sale was being continued to Friday, May 26, 2006 at 10:00 a.m. at the same location as stated in the Foreclosure Notice, and further, on May 26, 2006 at 10:00 a.m., David W. Houston, IV, as agent of the Successor Trustee, at the time, place and date announced on May 26, 2006, announced that the Foreclosure Sale was being continued to June 30, 2006 at 10:00 a.m. at the same location as stated in the Foreclosure Notice; and

WHEREAS, Darlene T. Marsh, Successor Trustee, at the time, place and date specified at the June 30, 2006 Foreclosure Sale referenced above, offered the property for sale, and after opening the floor for competitive bids, sold the property to U.S. Bank, N.A., at the price of Five Hundred Fifteen Thousand dollars ($515,000.00), this being the highest, last and best bid.

NOW, THEREFORE, I, Darlene T. Marsh, Successor Trustee as aforesaid, in consideration of the foregoing, and other consideration, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto U.S. Bank, N.A., its successors and assigns (the "Grantee") all of my right, title and interest in and to the following described real estate which has been advertised and sold as hereinabove recited, together with all hereditaments and appurtenances thereunto belonging or in any wise appertaining, located in Nashville, Davidson County, Tennessee (collectively, the "Property"), and more particularly described as follows, to wit:

Land lying and being in Davidson County, Tennessee, being Lot No. 4 on the plan of Revision One Priest Lake Investments, of record in Book 9700, page 412, Register's Office for Davidson County, Tennessee (R.O.D.C.). As described according to a survey prepared by Christie A. Jenkins, Jenkins and Jenkins Land Surveying, RLS No. 1719, dated April 22, 2003 as follows:

Beginning at an iron rod and being a common corner with the Conard property as of record in Deed Book 7446, page 317, R.O.D.C. and being on the southern right of way of Murfreesboro Pike;

Thence with said right of way, N 47 deg. 57 min. 28 sec. W a distance of 63.59 feet to an iron rod and being a common corner with the Creager property as of record in Deed Book 9517, page 440, R.O.D.C.;

Thence with the Creager property, S 50 deg. 50 min. 51 sec. W a distance of 241.03 feet to an iron rod;

Thence, S 50 deg. 15 min. 39 sec. W a distance of 165.57 feet to an iron rod being on the SUSA, Tn northern property line as of record in Instrument No. 2000001100002857, R.O.D.C.;

Thence with the SUSA, Tn property, S 39 deg. 09 min. 16 sec. E a distance of 148.03 feet to an iron rod;

Thence, N 54 deg. 10 min. 31 sec. E a distance of 24.17 feet to a concrete monument and being a common corner with the Mark A. Elmore, Jr., Trustee property as of record in Deed Book 7728, page 482, R.O.D.C.;

Thence with the Elmore Trustee property, N 53 deg. 25 min. 11 sec. E a distance of 166.39 to an iron rod;

Thence, N 51 deg. 42 min. 14 sec. E a distance of 95.22 feet to a P.K. Nail in asphalt and being a common corner with the Conard property;

Thence with the Conard property, N 48 deg. 20 min. 56 sec. W a distance of 100.00 feet to an iron rod;

Thence, N 51 deg. 26 min. 59 sec. E a distance of 146.73 feet to the point of beginning.

Being the same property conveyed to JDJ Enterprises Incorporated, by deed from Star Investments, a Tennessee general partnership, of record as Instrument No. 20040116-0006986, said Register's Office.

This is improved property also known as 2737 Murfreesboro Road, Antioch, Tennessee 37013;

The Property is conveyed free from all legal, statutory and equitable rights of redemption, and all other rights or exemptions of every kind, all of which are expressly waived in the Deed of Trust. The Property is conveyed subject to the right of the state to redeem as provided in T.C.A. § 67-1-1433(c)(1).

Grantee hereunder accepts title to the Property and all improvements thereon in an AS IS WHERE IS condition, and without representation or warranty from Successor Trustee as to any matter whatsoever.

Said Property is conveyed subject to any unpaid taxes, mortgages, liens, encumbrances, easements, restrictions and other matters of record or otherwise that are prior in right to the lien of the said Deed of Trust.

WITNESS the signature of the Successor Trustee on this the day and date first above written.

Darlene T. Marsh
Successor Trustee

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

Before me, Athena Gosnell, a Notary Public of the State and County aforesaid, personally appeared Darlene T. Marsh, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Successor Trustee, and that she as such Successor Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing her name as Successor Trustee.

Witness my hand and seal, at office in Nashville, Tennessee this 30th day of June, 2006.

Sworn to and subscribed before me this 30th day of June, 2006.

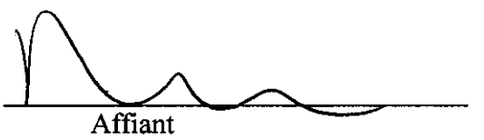
Notary Public

My Commission Expires: _____

ATHENA GOSNELL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON
My Commission Expires MAY 23 2009

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

The actual consideration for this transfer is Five Hundred Fifteen Thousand Dollars ($515,000.00).



Affiant

Sworn to and subscribed before me this 30th day of June, 2006.

Athena Gosnell
Notary Public

My Commission Expires: _____

562578_1



My Commission Expires MAY 28 2009

David W. Houston IV
Direct (615) 760-7170 Fax (615) 760-7370 E-mail dwh@gdm.com



May 30, 2006 – Via Certified Mail, Return Receipt Requested and Hand Delivery

Ms. Becky Tellas
Supervisor, Special Procedures Unit
Revenue Enforcement Division
State of Tennessee
Andrew Jackson State Office Building
4th Floor
500 Deaderick Street
Nashville, TN 37242

Re: Notice of Sale

Dear Ms. Tellas:

This firm represents U.S. Bank, N.A. which holds three (3) Promissory Notes executed by JDJ Enterprises Incorporated, all of which are dated January 14, 2004, in the original principal amounts of One Hundred Seventy Thousand Dollars ($170,000.00), Five Hundred Twenty-seven Thousand Five Hundred Dollars ($527,500.00), and One Hundred Nine Thousand Dollars (the "Notes"). The Notes are secured by deed of trust liens on certain real property (the "Property") described in that First Deed of Trust dated January 16, 2004, of record at Instrument Number 20040116-0006987, Register's Office for Davidson County, Tennessee; that certain Construction Second Tennessee Deed of Trust dated January 16, 2004, of record at Instrument Number 20040116-0006988, Register's Office for Davidson County, Tennessee; and that certain Construction Third Tennessee Deed of Trust dated January 16, 2004, of record at Instrument Number 20040116-0006989, Register's Office for Davidson County, ("Deeds of Trust"). Copies of the Deeds of Trust are enclosed for your review. The Notes are in default and demand for payment of the amounts in default has been made, but such demand has not been honored. The holder of the Notes and Deeds of Trust, therefore, has declared the Notes to be in default so that full payment of the Notes is now required, and the holder of the notes has demanded that the Property covered by the Deeds of Trust, and hereinafter described, be advertised and sold in satisfaction of said indebtedness and the costs of foreclosure.

It is my understanding that the Tennessee Department of Revenue has filed a notice of state tax lien against the property. Therefore, this notice is being submitted to you pursuant to T.C.A. § 67-1-1401 *et seq.* as follows:

1. This notice is submitted by Greenebaum Doll & McDonald PLLC, 700 Two American Center, 3102 West End Avenue, Nashville, Tennessee 37203 on behalf of U.S. Bank, N.A.

2. The Tennessee Department of Revenue has filed a Notice of Tax Lien ("Tax Lien Notice") against JDJ Enterprises Incorporated. The address of said taxpayer as shown on the Tax Lien Notice is 1312 Sweetwater Drive, Brentwood, Tennessee 37027-7871. The Tax Lien Notice bears Account Number 001 48-1280984/000, and is dated April 19, 2006. It is of record at Instrument Number 20060419-0045049, Register's Office of Davidson County, Tennessee, having been recorded at said Office on April 19, 2006. A copy of said Tax Lien Notice is enclosed herewith for your information.

3. The street address of the Property is 2737 Murfreesboro Road, Antioch, Tennessee 37013, said Property being more particularly described as that certain real property situated in Davidson County, as follows:

Land lying and being in Davidson County, Tennessee, being Lot No. 4 on the plan of Revision One Priest Lake Investments, of record in Book 9700, page 412, Register's Office for Davidson County, Tennessee (R.O.D.C.). As described according to a survey prepared by Christie A. Jenkins, Jenkins and Jenkins Land Surveying, RLS No. 1719, dated April 22, 2003 as follows:

Beginning at an iron rod and being a common corner with the Conard property as of record in Deed Book 7446, page 317, R.O.D.C. and being on the southern right of way of Murfreesboro Pike;

Thence with said right of way, N 47 deg. 57 min. 28 sec. W a distance of 63.59 feet to an iron rod and being a common corner with the Creager property as of record in Deed Book 9517, page 440, R.O.D.C.;

Thence with the Creager property, S 50 deg. 50 min. 51 sec. W a distance of 241.03 feet to an iron rod;

Thence, S 50 deg. 15 min. 39 sec. W a distance of 165.57 feet to an iron rod being on the SUSA, Tn northern property line as of record in Instrument No. 2000001100002857, R.O.D.C.;

Thence with the SUSA, Tn property, S 39 deg. 09 min. 16 sec. E a distance of 148.03 feet to an iron rod;

Thence, N 54 deg. 10 min. 31 sec. E a distance of 24.17 feet to a concrete monument and being a common corner with the Mark A. Elmore, Jr., Trustee property as of record in Deed Book 7728, page 482, R.O.D.C.;

Thence with the Elmore Trustee property, N 53 deg. 25 min. 11 sec. E a distance of 166.39 to an iron rod;

Thence, N 51 deg. 42 min. 14 sec. E a distance of 95.22 feet to a P.K. Nail in asphalt and being a common corner with the Conard property;

Thence with the Conard property, N 48 deg. 20 min. 56 sec. W a distance of 100.00 feet to an iron rod;

Thence, N 51 deg. 26 min. 59 sec. E a distance of 146.73 feet to the point of beginning.

Being the same property conveyed to JDJ Enterprises Incorporated, by deed from Star Investments, a Tennessee general partnership, of record as Instrument No. 20040116-0006986, said Register's Office.

4. The Property will be sold at public auction for cash on June 30, 2006 at 10:00 a.m., at the Broadway entrance to the Register's Office for Davidson County, Tennessee, located in the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee 37203. Enclosed herewith is a copy of the Notice of Foreclosure. As can be seen in the original Notice, enclosed for your review, the foreclosure sale was scheduled for Friday, April 28, 2006. At the time and at the location shown in the original Notice, David W. Houston, IV, as agent for the Successor Trustee, announced a continuance of the April 28, 2006 sale to May 26, 2006 commencing at 10:00 a.m. at the same address listed in the original Notice. On Friday, May 26, 2006, David W. Houston, IV, as agent for the Successor Trustee, went to the location listed in the original Notice at 10:00 a.m. and announced the second continuance of the foreclosure sale to June 30, 2006, commencing at 10:00 a.m. at the location listed in the original notice.

5. The approximate amount of principal indebtedness on all three (3) Notes is $791,186.57 with accrued interest and late fees as of May 26, 2006, in the amount of $50,841.07. Accordingly, the total indebtedness secured by the Deeds of Trust as of May 26, 2006 is approximately $842,027.64 plus the expenses and attorney fees incurred in connection with this foreclosure. The per diem rate of interest for every day after May 26, 2006 is approximately $171.25. It is anticipated that additional costs and expenses in this foreclosure will be not less than $1,500.00.

The Property is also subject to the following encumbrances:

1. Davidson County taxes for 2005; (Map-Parcel No.149-0-169), $11,207.77 unpaid, plus penalty, interest and cost.

2. Davidson County taxes for 2006, a lien, but not yet due and payable.

Please accept this letter as the twenty-five (25) day notice required by T.C.A. § 67-1-1401, which notice must be given to the Commissioner of Revenue or his or her delegate. Please advise me immediately of any deficiency or inadequacy in this notice.

Very truly yours,

David W. Houston IV
Greenebaum Doll & McDonald PLLC
700 Two American Center
3102 West End Avenue
Nashville, TN 37203

Enclosures

Personal Service Accepted:

By:_____

Title: _____

DWH/ajg

562595_2

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

May 25, 2006

Via Fax: **615-760-7318**

Shelby Farrell, Processor
Greenbaum, Doll and McDonald Law Firm



Re: **Foreclosure Procedures**

Dear Ms. Farrell:

This letter will serve as a response to your inquiry wherein you requested a payoff for a foreclosure sale. Following are the Department's foreclosure procedures:

Tennessee Code Annotated § 67-1-1401 et.al requires that a twenty-five day notice of foreclosure, (or private sale) be sent the Department. This notice should include a **letter outlining the foreclosure**, a **copy of the notice of sale**, a **copy of the security instrument being foreclosed on (must include Registrar of Deeds recording information)**, **legal description of the property being foreclosed on** and a **copy of the State's tax lien (must include Registrar of Deeds recording information)**. This correspondence should be sent to:

Revenue Enforcement Division
Special Procedures Section
Post Office Box 190665
Nashville, Tennessee 37219-0665

If the notice complies with the code, we correspond requesting an accounting of the sale. Once the accounting is received, presuming that the sale was held in accordance with the code and notice, and presuming that funds were distributed according to lien priorities, we release the lien on the property that was foreclosed. Once this lien is released, we do not attempt to redeem the property.

If you have any further questions, please feel free to contact me at (615) 253-5046.

Sincerely,

Donera Adcox, Account Technician 1
Special Procedures Unit
Nashville Administrative Office
Revenue Enforcement Division

BT/rap