Davidson County DEEDTRS
Recvd: 10/02/06 12:07 2 pgs
Fees:13.00 Taxes:314.50
20061002-0121462

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

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 25, 2003, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument 200309110133583, ("Deed of Trust"), Christina Magaddino and Frank A. Roe conveyed to Ernest B. Williams IV, 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, **GMAC MORTGAGE CORP.,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200609120112567** 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 8/31/06, 9/8/06, 9/15/06, in THE NASHVILLE RECORD, by which advertisement the sale was held on September 21, 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 **John Wood, Les Lazarus and Dan Heichelbech**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of **$ 85,001.00**; and

WHEREAS, **John Wood, Les Lazarus and Dan Heichelbech** 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 **John Wood, Les Lazarus and Dan Heichelbech** 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 **John Wood, Les Lazarus and Dan Heichelbech**, his/her/their successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Property located at 907 Due West Ave N, Davidson County, Madison TN 37115 and:

Land in Davidson County, Tennessee being Lot No 81 on the Map of DUE WEST VALLEY ACRES, not of record, in the 11th Civil District of said County and described according to a copy of a survey thereof made by H.R. Swann Jr., Surveyor, dated April 20, 1947. as follows:

Beginning at a point in the southerly margin of DUE WEST AVENUE (aka New Due West Avenue) at the corner of Lots Nos. 80 and 81; thence,, with the line between said Lots, southwardly 500 feet to a point; thence eastwardly 100 feet to the corner of Lots No. 81 and 82; thence, with the line between said Lots, northwardly 500 feet to the southerly margin of Due West Avenue (a/k/a New Due West Avenue); thence, with said margin, westwardly 100 feet to the beginning.

Being the same property conveyed to Christina R. Magaddino and Frank A. Roe both unmarried as, joint tenants with right of survivorship on 07-23-99, by deed from Thomas A. McGrath and wife, Anita C.

McGrath, filed for record on
08-10-99. in Book 11613. page 803, Register's Office for Davidson County, Tennessee.

The last recorded Warranty Deed was filed of record at Instrument No. 11613 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 **John Wood, Les Lazarus and Dan Heichelbech**, 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 21st day of September, 2006.

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

STATE OF GEORGIA
COUNTY OF DEKALB

On this 21st day of September, 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.

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 $ 85,001.00, 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 21st DAY OF SEPTEMBER 2006.

Notary Public

My Commission Expires: _____

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MSP No.: 414.0615216TN (Magaddino)
Lender Loan No.: 0835013724
Property Address: 907 Due West Ave North, Madison, TN 37115
Tax Parcel ID No.: 51-01-55.00

Mail Tax Notices To and Property Owner:
John Wood, Les Lazarus and Dan Heichelbech
915 Lewisburg Pike
Franklin, TN 37064