PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
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Davidson County DEEDTRS
Recvd: 12/15/06 09:37 2 pgs
Fees:13.00 Taxes:314.50
20061215-0154644

Name: Joseph L. Frank, and wife Brenda Frank
S&K#: 06-3218

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 14, 1998, recorded in Book 11114, Page 761 in the Register's Office of Davidson County, Tennessee, Joseph L. Frank and Brenda Frank, husband and wife, conveyed to Mitchell A. Watts, Attorney, Trustee, 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 appointed the undersigned as Substitute Trustee by Instrument of record in 2006117-0142905 in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on December 4, 2006, at the Davidson County Courthouse in Nashville, Tennessee, at 3:00 PM; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 Les Lazarus and Dan Heichelbech whose address is 915 Lewisburg Pike, Franklin, TN 37064, at and for the sum of $68,219.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Les Lazarus and Dan Heichelbech has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Les Lazarus and Dan Heichelbech, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Les Lazarus and Dan Heichelbech, their heirs, successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee to wit:

Lot Number 61 on the Plan of Mailan Heights Subdivision as of record in Book 1835, Page 90, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Said Lot Numebr 61 fronts 67.0 feet on the northerly margin of Mailan Drive and runs back 152.0 feet on the easterly line and 128.0 feet to a point on the westerly line; thence easterly 36.3 feet to a point on a dead line and measures 39.2 feet thereon.

This legal description is identical with that in Deed of Trust recorded in Book 11114, Page 761, in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 11114, Page 761, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Book 11114, Page 757, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Les Lazarus and Dan Heichelbech, their heirs, successors and assigns, in fee simple forever, to whom the said Shapiro &

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

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 85,000

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 15 DAY OF Dec 20 06

Deputy Register

Shapiro & Kirsch, LLP
Denise Griffin, Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me a Notary Public, in and for said state and county, personally appeared Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged herself to be an Authorized Agent of Shapiro & Kirsch, L.L.P. the within named bargainor, a limited liability partnership, and that she as such Authorized Agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership by herself as an Authorized Agent.

WITNESS my hand and Official Seal this 4 day of December, 2006

NOTARY PUBLIC

CLAY SCHNADELBACH
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. JUNE 29, 2010

My commission expires: 6/29/2010

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $68,219.00 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 the 15th day of December, 2006.

Notary Public

my commission exp 5-22-2010

PROPERTY ADDRESS: 2713 Mailan Drive, Nashville, TN 37206

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Les Lazarus and Dan Heichelbech
915 Lewisburg Pike, Franklin, TN 37064

DIANNE D. SHRODER
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN

S & K #:06-3218
Map & Parcel – 07313015800

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.