Davidson County DEEDTRS
Recvd: 07/03/07 14:53 7 pgs
Fees:38.00 Taxes:108.49
20070703-0079561

THIS INSTRUMENT WAS PREPARED BY:
Leroy J. Ellis, III, Attorney at Law
306 Gay Street, Suite 200
Nashville, Tennessee 37201

ADDRESS NEW OWNER(S)
American Consulting Corporation
1146 Longview Drive
Hendersonville, TN 37075

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL NO.
0720703-2700

SUCCESSOR TRUSTEE'S DEED

WHEREAS, Jimmy J. Cook and wife, Penny A. Cook, executed a certain note dated October 1, 1996, payable to the order of Frank E. Wade and wife, Mary E. Wade (the "Note"), and executed a certain deed of trust dated October 1, 1996 to Glenn E. Sager, Trustee, of record at Book 10212, page 252, Register of Deeds for Davidson County, Tennessee conveying the hereinafter described real property to secure payment of the Note (the "Deed of Trust").

WHEREAS, the Note and the Deed of Trust were transferred and assigned to Frank E. Wade and Mary E. Wade, Trustees of the Mary E. Wade Revocable living Trust, dated December 28, 2000, and any amendments thereto, its successors and assigns (the "Living Trust") by instrument of record in Instrument Number 20010730-0080545, and Mary E. Wade is the sole trustee of the Living Trust by reason of the death of Frank E. Wade on February 12, 2002.

WHEREAS, Mary E. Wade as Trustee of the Living Trust and owner and holder of the Note and the Deed of Trust, appointed Leroy J. Ellis, III as Successor Trustee by instrument dated October 5, 2006, of record in Instrument Number 20061009-0124770, of the Register's Office of Davidson County, Tennessee, and by instrument dated January 29, 2007 of record in Instrument Number 20070209-0017160, said Register's Office.

WHEREAS, default occurred in the performance of the terms of the Note and/or the Deed of Trust and the owner and holder of the Note and the Deed of Trust declared the entire unpaid principal balance of the Note, together with all accrued and unpaid interest and other charges thereon due and payable, as provided in the Note and the Deed of Trust, and requested the undersigned to foreclose the Deed of Trust in accordance with the terms thereof and to sell the real property secured by the Deed of Trust.

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in the Nashville Record supplement to The Tennessean, a newspaper published and circulated in Davidson County, Tennessee, and pursuant to the said advertisements, the sale was held at the time and place advertised, to-wit: June 25, 2007 at 11:00 A.M. at the front (south) door of the Davidson

County Courthouse, Nashville, Davidson County, Tennessee, at public outcry to the highest and best bidder for cash free from the equity of redemption, the statutory right of redemption, homestead and all other exemptions and rights of every kind, all of which were expressly waived in said Deed of Trust.

WHEREAS, the GRANTEE herein, American Consulting Corporation, being the highest and best bidder at said sale with a bid of Twenty-nine Thousand Three Hundred Twenty-one and No/100 ($29,321.00) Dollars, was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and in further consideration of Twenty-Nine Thousand Three Hundred Twenty-one and No/100 ($29,321.00) Dollars, paid by American Consulting Corporation, the receipt of which is hereby acknowledged, I, Leroy J. Ellis, III, Successor Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto American Consulting Corporation, its successors and assigns, the following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

> Land in Davidson County, Tennessee, being Lot 3 of the re-subdivision of Lot 39 of Inglewood Place as of record in Book 5190, page 482, Register's Office for said County.
>
> Said Lot 3 of the re-subdivision of Lot 39 of Inglewood Place fronts 62.8 feet on the northerly side of Kirkland Avenue and runs back between parallel lines 131 feet to a rear line of 62.80 feet.
>
> Being the same property conveyed to Jimmy J. Cook and wife, Penny A. Cook by warranty deed, from Frank E. Wade and wife, Mary E. Wade, of record in Book 10212, page 249, Register's Office for Davidson County, Tennessee.
>
> This is improved property, known as: 1135 Kirkland Avenue, Nashville, TN 37206.

This conveyance is subject to all visible easements; easements of record; matters and things shown on plat of record in Book 5190, page 482, and the 2007 real property taxes which shall be prorated between the parties and payment assumed by the GRANTEE.

TO HAVE AND TO HOLD the said real property above described, together with the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto American Consulting Corporation, its successors and assigns, in fee simple forever. The undersigned as Successor Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Successor Trustee, but not further or otherwise.

A notice of Federal Tax Lien in favor of the United States and against Jimmy J. and Penny A. Cook was filed on April 30, 2002 in Instrument No. 20020506-0055427 in the Register's Office of Davidson County, Tennessee. As required by 26 U.S. Code section 7425 (c) and Treasury Regulation §301.7425-3 Notice of sale was given to the District Director of Internal Revenue, Nashville, Tennessee by certified mail on May 24, 2007. A true and exact copy of that Notice is made Exhibit "A" to this

Deed and is incorporated herein by reference. Receipt by the Internal Service was acknowledged on May 25, 2007.

Notices of sale were given to Jimmy J. Cook and Penny A. Cook by certified mail return receipt requested on May 24, 2007 and receipt of each was acknowledged on May 26, 2007.

NOTICE: Pursuant to 26 U.S. Code section 7425 (d), this sale and conveyance of the herein described real property is subject to the right of the United States to redeem such property within the period of 120 days from the date of sale.

IN WITNESS WHEREOF I have hereunto set my hand on this the 28 day of June, 2007.

Leroy J. Ellis, III
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, the within named Leroy J. Ellis, III, the bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained as Successor Trustee.

WITNESS my hand and official seal at Nashville, Tennessee, this 28th day of June, 2007.

NOTARY PUBLIC

SHIRLEY COCHRAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires SEPT. 19, 2009

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

The actual consideration or value
Whichever is greater, for this transfer
Is $29,321.00.

Affiant

Sworn to and subscribed before me
this 28th day of June, 2007.

Notary Public
My commission expires: _____

SHIRLEY COCHRAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 19, 2009

LEWIS, NIMMO & ELLIS

An Association of Lawyers
306 GAY STREET, SUITE 200
NASHVILLE, TENNESSEE 37201

Leroy J. Ellis, III
Robert H. Lewis
Niles Nimmo
Robert H. Lewis, Jr.

Office: (615) 256-5003
Facsimile: (615) 256-5061
L. Johnston Ellis, IV
Sender's e-mail:
LeeEllisiii@aol.com

May 24, 2007

District Director of Internal Revenue
Attention: Chief, Special Procedures Staff
U.S. Courthouse
801 Broadway
Nashville, TN 37203

Re: Notice of non-judicial foreclosure sale

Certified mail* -No. *7005 0390 0001 1994 0888

Dear Sir or Madam:

Pursuant to Internal Revenue Code §7425 (c) and Regulation § 301.7425-3 I give notice of a scheduled non-judicial foreclosure sale of certain real property located in Nashville, Davidson County, Tennessee, which property is subject to a subordinate Notice of Federal Tax Lien (Form 668).

The following information is given:

(i) Name and address of person submitting the notice of sale: The undersigned, Leroy J. Ellis, III, office address, 306 Gay Street, Suite 200, Nashville, TN 37201.

(ii) The Notice of Federal Tax Lien (Form 668) affecting the property to be sold is of record as Instrument No. 20020506-0055427 of the Register of Deeds, Davidson County, Tennessee. A photocopy is submitted herewith.

(iii) Property information

(A) The property is a house and lot located at Post Office address 1135 Kirkland Avenue, Nashville, TN 37216-3135. The legal description is:

Land in Davidson County, Tennessee, being Lot 3 of the re-subdivision of Lot 39 of Inglewood Place as of record in Book 5190, page 482, Register's Office for said County.

Said Lot 3 of the re-subdivision of Lot 39 of Inglewood Place fronts 62.8 feet on the northerly side of Kirkland Avenue and runs back between parallel lines 131 feet to a rear line of 62.80 feet.

Being the same property conveyed to Jimmy J. Cook and wife, Penny A. Cook

EXHIBIT "A" TO
SUCCESSOR TRUSTEE'S
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FILE COPY

by warranty deed, from Frank E. Wade and wife, Mary E. Wade, of record in Book 10212, page 249, Register's Office for Davidson County, Tennessee.

In lieu of an abstract of title the following is the chain of title based on my office search. beginning with purchase by Frank E. Wade and Mary E. Wade, all document references being to the Register's Office of Davidson County, Tennessee and the date filed.

Book 4342, page 76, June 13, 1969, Warranty Deed, James W. Smith, Jr. and wife, Velma Jean Smith to Frank E. Wade and wife, Mary E. Wade. Property: Lot 39, Map of Inglewood Place, of record at Book 332, page 101. Grantees assume debt secured by Deed of Trust stated to be at Book 3080, page 585 but should be Book 4080, page 585.

Book 5190, page 482, January 14, 1981, re-subdivision of Lot 39, Inglewood Place by Frank E. Wade and Mary E. Wade.

Book 6279, page 60, April 26, 1984, Warranty Deed, Frank E. Wade and wife, Mary E. Wade to Michael A. Atkinson and wife, Shelby J. Atkinson. Property: Lot 3 of the re-subdivision of Lot 39 of Inglewood Place, of record in Book 5190, page 482.

Book 7468, page 494, February 12, 1988, Deed in Lieu of Foreclosure, Michael A. Atkinson and wife, Shelby J.. Atkinson to Frank E. Wade and wife, Mary E. Wade. Property: Lot 3 of the re-subdivision of Lot 39 of Inglewood Place, of record in Book 5190, page 482.

Book 10212, page 249, October 2, 1996, Warranty Deed, Frank E. Wade and wife, Mary E. Wade to Jimmy J. Cook and wife, Penny A. Cook. Property: Lot 3 of the re-subdivision of Lot 39 of Inglewood Place. Stated consideration=$42,000.00.

Liens Affecting the Property:

Book 4080, page 585, Deed of Trust, assumed by Frank E. Wade and wife, at Book 4342, page 76 was released at Book 5254, page 760.

Book 6279, page 63, Deed of Trust was released by Deed-In-Lieu at Book 7468, page 494. February 12, 1988.

Book 10212, page 252, Deed of Trust from Jimmy J. Cook and wife, Penny A. Cook to Glenn E. Sager, Trustee, secures note for $40,000.00 payable to Frank E. Wade and wife, Mary E. Wade, dated October 1, 1996, filed October 2, 1996. (The Deed of Trust being foreclosed).

Instrument No. 20010730-0080545, filed July 30, 2001, assignment of Cook Deed of Trust (Book 10212, page 252) from Frank E. Wade and Mary E. Wade to Frank E. Wade and Mary E. Wade. Trustees of the Mary E. Wade Revocable Living Trust dated December 28, 2000.

Instrument No. 20020506-0055472, May 6, 2002, Notice of Federal Tax Lien (Form 668) against Jimmy J. and Penny A. Cook.

Instrument No. 20060302-0024160, March 2, 2006, Certified Copy of Judgment, Goodpasture Christian School v. Jimmy Cook and Penny Cook.

Instrument No. 20061009-0124770, filed October 9, 2006, Appointment of Leroy J. Ellis. III as Successor Trustee under Book 10212, page 252, by Mary E. Wade, Trustee (reciting death of co-trustee Frank E. Wade).

Instrument No. 20070209-0017160 filed February 9, 2007. Corrected Appointment of Leroy J. Ellis, III as Successor Trustee under Book 10212, page 252.

(B). Date, etc. of proposed sale. The sale is to be held on Monday, June 25, 2007 at the front (south) door of the Davidson County Courthouse, Nashville, Tennessee. The sale is for cash to the highest bidder.

(iv) Approximate amount of principal and interest secured, and other expenses.

Principal balance as of last payment made (December 2005)	$18,667.76
Late charges for all but six (6) months, payments 39 through 120, total 75 late charges at $26.43:	1,982.25
Interest on $18,667.76 from January 1, 2006 @ 10%	
January 1, 2006 through December 31, 2006	1,866.77
January 1, 2007 through June 25, 2007	900.06
Publication of notice	622.00
Legal and title fees	1,200.00
Property Taxes	3,000.00
Property insurance	1,400.00
	$29,638.78

Yours very truly,

Leroy J. Ellis, III

LJEIII:sc

cc: Mary E. Wade
Jimmy J. Cook
Penny A. Cook

Enclosures

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SUCCESSOR TRUSTEE'S
DEED PAGE 3 OF 4

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Form 668 (Y)(c)
(Rev. October 2000)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #8
Lien Unit Phone: (800) 829-3903

Serial Number
620275284

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer JIMMY J & PENNY A COOK

Residence 1135 KIRKLAND AVE
NASHVILLE, TN 37216-3135

Davidson County LIENFTL
Recvd: 05/06/02 14:38 1pgs
Fees:12.00 Taxes:0.00
20020506-0055427

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/1998	[redacted]-0038	05/17/1999	06/16/2009	7673.31
1040	12/31/1999	[redacted]-0038	04/03/2000	05/03/2010	6041.78
1040	12/31/2000	[redacted]-0038	06/04/2001	07/04/2011	4973.81

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 18688.90

This notice was prepared and signed at Nashville, TN, on this, the 30th day of April, 2002.

Signature for G ACKLEN

Title ACS
(800) 829-3903

28-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 10-00)
CAT. NO 60025X

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