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: 09/05/07 09:18 2 pgs
Fees:13.00 Taxes:499.50
20070905-0106365

Name: David Bendall,
S&K#: 07-12165

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 19, 1994, recorded in Book 9446, Page 472 in the Register's Office of Davidson County, Tennessee, David Bendall, unmarried, conveyed to I. Dyke Tatum, 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 Instrument Number 20070807-0093963 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 August 27, 2007, at the Davidson County Courthouse in Nashville, Tennessee, at 12:00 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 Aubrey Hiam and James LaBorg whose address is 301 Fairbanks Road, Goodlettsville, TN 37072, at and for the sum of $67,720.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Aubrey Hiam and James LaBorg 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 Aubrey Hiam and James LaBorg, 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 Aubrey Hiam and James LaBorg, 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 4 on the Map of A. C. Webb's Subdivision of the North of his Demoville Tract, as of record in Book 974, Page 27, said Register's Office.

Said Lot Number 4 fronts 100 feet on the easterly side of Dickerson Pike, as widened, and runs back between lines as measured from the center line of the Dickerson Pike, 1403 feet, more or less, on the north line and 1382 feet, more or less, on the south line, to a dead line, on which it measures 100 feet, more or less.

INCLUDED in the above described tract, but EXCLUDED from this conveyance is the following described tract:

Being an easterly portion of Lot Number 4 on the Map of A. C. Webb's Subdivision of the north of his Demoville Tract, as of record in Book 974, Page 27, Register's Office for said County, and being more particularly described as follows:

Beginning at an iron pin in a fence located 557 feet, more or less, east of the center line of Dickerson Road, and being the northwesterly corner of the tract herein described and the northeasterly corner of the remaining property of Thomas F. Davenport and wife; thence south 88 degrees 15 minutes east 837 feet to an iron pin; thence south 1 degree 45 minutes west 100 feet to an iron pin; thence north 88 degrees 15 minutes west 837 feet to an iron pin in a fence; thence north 1 degree 45 minutes east 100 feet to the beginning.

This legal description is identical with that in Deed of Trust recorded in Book 9446, Page 472, 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 9446, Page 472, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Book 9446, Page 468, 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.

Sale is subject to any interest that may exist in unreleased deed of trust of record in Book 8822, Page 415 in the Register's Office of Davidson County, Tennessee.

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 Aubrey Hiam and James LaBorg, 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.

Shapiro & Kirsch, LLP.

Denise D. Griffin, An Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 27th day of August, before me, a Notary Public, in and for said State and County, personally appeared Denise D. Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be an Authorized Agent of Shapiro & Kirsch, L.L.P. the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

WITNESS my hand and Notarial Seal at Office the day and year above written.

12-13-08
My commission expires:

Notary Public

JAMIE D. HARPOLE
STATE OF TENNESSEE NOTARY PUBLIC
Shelby County
My Comm. Exp. 12-13-08

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 $67,720.00 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 _____, day of _____, 2007.

Notary Public

PROPERTY ADDRESS: 3545 Dickerson Road, Nashville, TN 37207

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Aubrey Hiam and James LaBorg
301 Fairbanks Road, Goodlettsville, TN 37072

S & K #:07-12165
Map & Parcel – 05000006100

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

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 135,000.00

AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 5th **DAY OF** Sept **20** 07

Deputy Register