Davidson County DEEDTRS
Recvd: 10/17/07 11:36 2 pgs
Fees:13.00 Taxes:518.37
20071017-0123130

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
Fax: 901-761-5690

Name: Michael Dalton,
S&K#: 07-13432

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 12, 2005, recorded in Instrument number 20050927-0115970 in the Register's Office of Davidson County, Tennessee, Michael T. Dalton, single man, conveyed to Heritage Title Services, 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 20070920-0112581 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 October 8, 2007, at the Davidson County Courthouse in Nashville, Tennessee, at 12:00pm; 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 Daryl Spicer & Brian Oldham whose address is 116 Bland Drive, Mount Juliet, TN 37122, at and for the sum of $140,100.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Daryl Spicer & Brian Oldham 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 Daryl Spicer & Brian Oldham, 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 Daryl Spicer & Brian Oldham, their heirs, successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 87 on the Plan of Windhaven Shores, Section Four, as of record in Instrument Number 20041222-0152517, said Register's Office for said County, to which reference is made for a more complete description of said property.

This legal description is identical with that in Deed of Trust recorded in Instrument number 20050927-0115970, 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 Instrument number 20050927-0115970, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20050927-0115969, 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 Daryl Spicer & Brian Oldham, 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.

Joe M. Kirsch, Managing Partner

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 8th day of October, before me, a Notary Public, in and for said State and County, personally appeared Joe M. Kirsch, with whom I am personally acquainted, and who, upon oath acknowledged to be the Managing Partner 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.

12/28/08
My commission expires:

Notary Public

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 $140,100.00 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 17th day of October, 2007.

Notary Public

Comm Expires: 7-24-11

PROPERTY ADDRESS: 3429 Whitesail Court, Antioch, TN 37013

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Daryl Spicer & Brian Oldham
116 Bland Drive, Mount Juliet, TN 37122

S & K #:07-13432
Map & Parcel – 150160A13300CO

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