Davidson County DEEDTRS
Recvd: 01/18/08 14:08 2 pgs
Fees:13.00 Taxes:401.45
20080118-0005992

Tennessee
Map: #151/10/A/261-CO

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 15, 2004, and recorded in REGISTER'S INSTRUMENT: #20040423-0046710, in the Register's Office of Davidson County, Tennessee, Norma Ihaza, unmarried, conveyed to Service Escrow & Title, Inc., Trustee(s), 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 REGISTER'S INSTRUMENT: #20071127-0137442, in the Register's Office of said County; 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 said Deed of Trust by which advertisement the sale was appointed to be held on January 8, 2008, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Gaylord Entertainment Center of Davidson County, Tennessee; 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 sale MARTY PENIX, MARRIED AND JAMES DEATRICK, JR., SINGLE, whose address is, 3735 NORTH MOUNT JULIET ROAD, SUITE: #101, MOUNT JULIET, TENNESSEE 37122, being the highest and best bidder, became the purchaser of said property at and for the sum of ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED ONE DOLLARS AND 00/100; and,

WHEREAS, the purchaser, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the amount of their bid.

NOW, THEREFORE, in consideration of the premises and the payment by MARTY PENIX, MARRIED AND JAMES DEATRICK, JR., SINGLE, of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, ELIZABETH A. CASH, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said MARTY PENIX, MARRIED AND JAMES DEATRICK, JR., SINGLE, their heirs 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:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING ALL OF LOT NO. ONE HUNDRED NINE (109) ON THE PLAN OF PHASE: #3, VILLAGES OF LONG HUNTER P.U.D., AS SHOWN BY PLAT APPEARING OF RECORD ON PLAT BOOK/INSTRUMENT NUMBER: #20030707-0093205, OF THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DETAILS OF SAID LOT.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

NORMA IHAZA, UNMARRIED, HER HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S OFFICE: #20040423-0046709, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto MARTY PENIX, MARRIED AND JAMES DEATRICK, JR., SINGLE, their heirs and assigns in fee simple forever, to whom the said ELIZABETH A. CASH, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under her, as such Substitute Trustee, but not further or otherwise.

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said ELIZABETH A. CASH, Substitute Trustee, has on January 8, 2008 hereunto set her hand and seal.

Elizabeth A. Cash, Substitute Trustee
ELIZABETH A. CASH, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On January 8, 2008 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared ELIZABETH A. CASH to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as Substitute Trustee and as her free act and deed.

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

Brenda L. Doyle
NOTARY PUBLIC

My Commission Expires: 9-17-08

BRENDA L. DOYLE
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY
MY COMM. EXP. 9-17-08

STATE TAX $
CLERK'S FEE $

TOTAL $

PROPERTY ADDRESS
7363 OLE NOTTINGHAM DRIVE
ANTIOCH, TENNESSEE 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
MARTY PENIX AND JAMES DEATRICK, JR.
3735 NORTH MOUNT JULIET ROAD, SUITE: #101
MOUNT JULIET, TENNESSEE 37122

MORTGAGEE: NONE

THIS INSTRUMENT PREPARED BY:
WEISS SPICER, PLLC
ATTORNEYS AT LAW
208 ADAMS AVENUE
MEMPHIS, TENNESSEE 38103
(901) 526-8296

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $108,501.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF January 16, 2008
NOTARY PUBLIC Barbara C. Parish
MY COMMISSION EXPIRES 4/28/2008

BARBARA C. PARISH
NOTARY PUBLIC AT LARGE
WILSON CO. TENN