Davidson County DEEDTRS
Recvd: 04/02/08 09:55 2 pg
Fees:13.00 Taxes:860.86
20080402-0032865

Tennessee
Map: #64/8/A/69CO

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by DEED OF TRUST DATED APRIL 14, 2005, AND RECORDED IN REGISTER'S INSTRUMENT: #20050425-0045786, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, MARK A. LOTHROP AND JULIE E. LOTHROP, HUSBAND AND WIFE, CONVEYED TO INFINITY TITLE OF DAVIDSON COUNTY, TENNESSEE, 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: #20080129-0009186, 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 March 25, 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, 3650 NORTH MOUNT JULIET ROAD, MOUNT JULIET, TENNESSEE 37122, being the highest and best bidder, became the purchaser of said property at and for the sum of TWO HUNDRED THIRTY TWO THOUSAND SIX HUNDRED SIXTY FIVE 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 OLD HICKORY, COUNTY OF DAVIDSON, STATE OF TENNESSEE, to-wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT: #108 ON THE PLAN OF SECTION TWO, MERRITT DOWNS, OF RECORD IN INSTRUMENT: #20030904-0128443, REGISTER'S OFFICE FOR SAID COUNTY, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

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

MARK A. LATHROP AND WIFE, JULIE E. LOTHROP, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20050425-0045785, 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 March 25, 2008 hereunto set her hand and seal.

Elizabeth A. Cash, Substitute Trustee

ELIZABETH A. CASH, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On March 25, 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. Doty

NOTARY PUBLIC

BRENDA L. DOTY
SHELBY COUNTY
NOTARY PUBLIC
MY COMM. EXP. 9-17-08

My Commission Expires: 9-17-08

STATE TAX $
CLERK'S FEE $

TOTAL $

PROPERTY ADDRESS
1604 CAROLWINDS COURT
OLD HICKORY, TENNESSEE 37138

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
MARTY PENIX AND JAMES DEATRICK JR.
1285 NORTH MOUNT JULIET ROAD
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 $232,665.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF March 31st **20** 08
NOTARY PUBLIC Toni V. Burton
MY COMMISSION EXPIRES September 08, 2010

TONI V. BURTON
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY