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215570.0025

Davidson County DEEDTRS
Recvd: 04/17/08 10:30 2 pgs
Fees:13.00 Taxes:149.11
20080417-0038916

| ADDRESSES NEW OWNER(S) AS FOLLOWS | SEND TAX BILLS TO: | MAP PARCEL NUMBER |
|---|---|---|
| (NAME)<br>**Branch Banking & Trust Co.** | (NAME)<br>**Branch Banking & Trust Co.** | **156-2** |
| (STREET ADDRESS OR ROUTE NUMBER)<br>**2713 Forest Hills Road**<br>**Mailcode 100-50-01-52** | (STREET ADDRESS)<br>**2713 Forest Hills Road**<br>**Mailcode 100-50-01-52** | |
| (CITY) (STATE) (ZIP)<br>**Wilson NC 27893** | (CITY) (STATE) (ZIP)<br>**Wilson NC 27893** | |

# SUCCESSOR TRUSTEE'S DEED

This instrument made and entered into on January 31, 2008, by Everett L. Hixson, Jr., Successor Trustee ("Successor Trustee").

WHEREAS, by that certain Deed of Trust dated July 15, 2002, and recorded on July 29, 2002, as **Instrument Number 20020729-0090436**, Register's Office for DAVIDSON County, Tennessee (the "Deed of Trust"), **GARY L. DUNKLE and JAC LYNN DUNKLE** (collectively "Borrower") conveyed to J. FRANKLIN MCCREARY, Trustee, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on July 15, 2002 (the "Note"), which obligation is presently held and owned by **WCRSI, LLC**; and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, Lender, the owner and holder of the Note evidenced by the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, Everett L. Hixson, Jr., was duly appointed as Successor Trustee in the place and stead of J. FRANKLIN MCCREARY, said appointment being set forth as Instrument No. **20080131-0009951** said Register's Office; and

WHEREAS, the Successor Trustee caused notice to be published as provided in the Deed of Trust and Note in the The Nashville Record that the Property would be sold on **January 31, 2008,** at 11:00 AM at the door of the DAVIDSON County Courthouse, Nashville, Tennessee, such advertisement appearing in said newspaper on **12/28/07, 01/04/08 AND 01/11/08**, a copy of such notice sent to Borrower, the current owner of the Property, and all other parties who appeared to have any interest in the Property reflected in the records of the Register's Office of DAVIDSON County, Nashville, Tennessee, and following such notice the default was not cured; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices offered the Property for sale, and after opening the floor for competitive bids, sold said Property to **Branch Banking & Trust Co** at the price of **Forty Thousand Three Hundred and 00/100 Dollars ($40,300.00)** this being the highest, last and best bid.

NOW, THEREFORE, I, Everett L. Hixson, Jr., Successor Trustee as aforesaid, in consideration of the premises and the sum of **Forty Thousand Three Hundred and 00/100 Dollars ($40,300.00)** to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **Branch Banking & Trust Co.** ("Grantee"), its successors and assigns, all of my right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no further or otherwise, located in DAVIDSON County, Tennessee, and more particularly described as follows, to wit:

BEING LOT NO. 324 ON THE PLAN OF HARPETH VALLEY PARK, SECTION 3, AS OF RECORD IN PLAT OF HARPETH VALLEY PARK, SECTION 3, AS OF RECORD IN PLAT BOOK 4175, PAGE 14, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION.

**Borrower's source of title is that certain Warranty Deed dated December 9, 1993 from Ronald Eugene Kanvuh to GARY L. DUNKLE and JAC LYNN DUNKLE of record on December 13, 1993 in Book 9183, Book 650 in said Register's Office.**

To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to **(1)** any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; **(2)** any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; **(3)** any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; **(4)** applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of DAVIDSON County, Tennessee; **(5)** any governmental zoning and subdivision ordinances or regulations in effect thereon; **(6)** the accuracy of the Index Book of the said Register's Office; and **(7)** any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Successor Trustee on the day and date first above written.

Everett L. Hixson, Jr.
Successor Trustee

STATE OF TENNESSEE )
COUNTY OF HAMILTON )

Before me, Caren L. Giles, of the state and county aforesaid, personally appeared Everett L. Hixson, Jr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged he executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal at office in Chattanooga, Tennessee this 31st day of January, 2008.

Caren L. Giles
Notary Public

CAREN L. GILES
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY

My commission expires:
Feb. 12, 2011

STATE OF TENNESSEE )
COUNTY OF HAMILTON )

The actual consideration or value, whichever is greater, for this transfer is $40,300.00.

Affiant

Sworn to and subscribed
before me this 31st day of January, 2008.

Caren L. Giles
Notary Public

CAREN L. GILES
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY

My commission expires:
Feb. 12, 2011