Davidson County DEEDTRS
Recvd: 04/18/08 12:19 3 pgs
Fees:18.00 Taxes:521.89
20080418-0039506

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under date of 19 July 2006, DARRYL V. SMITH and HELEN A. SMITH executed a certain Trust Deed to Brent S. Knight, Trustee for Beneficial Tennessee, Inc., for the purpose of securing the debt and obligations therein described, which Trust Deed is recorded as Instrument No. 20060724-0088582 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, Beneficial Tennessee, Inc., the holder and owner of the debt and obligations secured by said Trust Deed, having for reasons satisfactory to itself, under the provision of said Trust Deed, by instrument recorded in said Register's Office as Instrument No. 20080129-0008962, named and appointed the undersigned as Trustee in the place and stead of Brent S. Knight; and

WHEREAS, default was made in the payment of the debt and obligations secured by said Trust Deed and the undersigned, as Substitute Trustee, was requested to advertise and sell the property conveyed by said Trust Deed in compliance with the provisions thereof; and

WHEREAS, the undersigned, as Substitute Trustee, did, in compliance with the provisions of said Trust Deed, advertise for sale the property conveyed by same, the advertisement of sale having been published in The Tennessee Tribune/West Tennessee Examiner, a newspaper published and/or distributed in Davidson County, Tennessee in the issues of 6, 13, 20 March 2008 of said newspaper, said sale having been advertised for Thursday, 27 March 2008, commencing at 12:00 o'clock noon outside the door of the Register of Deed's Office, 501 Broadway, Nashville, Tennessee, at the Northwest entry of the Gaylord Entertainment Center at which time and place the property was offered for sale and sold; and

WHEREAS, the highest and best bid for said property was then and there made by Beneficial Tennessee, Inc., to-wit: a bid of One Hundred Forty One Thousand Fifty and 00/100 Dollars ($141,050.00) for said property, which bid was then and there accepted by the undersigned as Substitute Trustee.

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance with the terms of said bid, the undersigned, Richard J. Myers, as Substitute Trustee, has bargained and sold, and does by these presents bargain, sell and convey to the said Beneficial Tennessee, Inc., the property advertised and sold as hereinabove recited, situated, lying and being in the County of Davidson, State of Tennessee, and more particularly described as follows:

THE PROPERTY LOCATED IN DAVIDSON COUNTY, STATE OF TENNESSEE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LAND IN DAVIDSON COUNTY, TENNESSEE BEING LOT NO. 51 ON THE PLAN OF FIRST REVISION, SECTION THREE, PHASE II, GREER MEADOWS AT CEDAR CREEK. A PLANNED UNIT DEVELOPMENT OF RECORD IN INSTRUMENT NUMBER 20040407-0039587, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION OF SAID LOT. BEING THE SAME PROPERTY CONVEYED FROM CAPITOL HOMES INC. TO DARRYL V. SMITH AND HELEN A. SMITH, HUSBAND AND WIFE BY DEED RECORDED 6/27/05, IN DOCUMENT 20050627007340 6, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE. TAX MAP OR PARCEL ID NO.: 75-12A 153.00. 00

Property Address: 698 Belgium Drive, Hermitage, TN 37076

PREPARED BY AND RETURN TO:

Richard J. Myers, Esq
Apperson, Crump & Maxwell, PLC
6000 Poplar Avenue, Suite 400
Memphis, TN 38119
901-756-6300

TO HAVE AND TO HOLD, unto the said Beneficial Tennessee, Inc., its successors and assigns, in fee simple forever.

The undersigned Substitute Trustee believes the title hereby conveyed to be good, but warrants the same against the lawful claims of all persons claiming by, through, and under a conveyance from the undersigned as Substitute Trustee, under the provisions of the above-described Trust Deed, and not further or otherwise.

This sale is made subject to any and all outstanding unpaid real property taxes upon the property as of the date of the Substitute Trustee's sale described herein, and any and all other prior restrictions, encumbrances, or liens of any nature.

The proceeds of this sale, the receipt of which the undersigned Substitute Trustee hereby acknowledges, have been applied as follows:

TOTAL BID		$141,050.00
Expenses:		
Recording Substitution of Trustee	12.00	
Title Work	450.00	
Advertising Expenses	400.00	
Unpaid Real Property Taxes	3,192.06	
Recording Substitute Trustee's Deed	539.89	
Attorney Fee and Costs	900.00	
TOTAL EXPENSES		5,493.95
BALANCE APPLIED TO THE MORTGAGE INDEBTEDNESS		$135,556.05

WITNESS, the signature of the undersigned, Richard J. Myers, Substitute Trustee, this 17th day of April 2008.

Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this the 17th day of April 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Richard J. Myers, Substitute Trustee, to me known to be the person described, and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

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

Tangela Butler-Pearson
Notary Public

My Commission Expires:
12/28/2010

TANGELA BUTLER-PEARSON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
My Comm. Exp. 12/28/2010

PROPERTY ADDRESS:

698 Belguim Drive
Hermitage, TN 37076

SEND TAX BILLS TO:

Beneficial Tennessee, Inc.
P.O. Box 8362
Elmhurst, IL 60126-1058

Grantee: Beneficial Tennessee, Inc.
P.O. Box 8362
Elmhurst, IL 60126-1058

TAX MAP OR PARCEL ID NO.: 075-12-0 A153.00

I, Richard J. Myers, Esq., hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $141,050.00, 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 this 17th day of April 2008.

Notary Public

My Commission Expires: 12/28/2010

TANGELA BUTLER-PEARSON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
My Comm. Exp. 12/28/2010