Davidson County DEEDTRS
Recvd: 06/27/08 14:09 3 pgs
Fees:18.00 Taxes:203.50
20080627-0066656

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on January 8, 2003, Lauren O. Westbrook and husband, Fred Westbrook, ("Debtor"), executed to Anne B. Davenport, Trustee, a certain deed of trust conveying to her as Trustee, certain property hereinafter fully set forth and described, which deed of trust is found of record under Instrument No. 20030109-0004228, in the Register's Office of Davidson County, Tennessee (the "Deed of Trust"); and

WHEREAS, by instrument of record 20070108-0002840 in said Register's Office the Original Trustee was replaced by E. Franklin Childress, Jr., Blair B. Evans and K. David Waddell, as Substitute Trustees, any one of whom is empowered to serve with all the title, powers, and duties of the Original Trustee named in said Deed of Trust described above; and

WHEREAS, default having been made in the payment of the debts and the performance of the obligations secured by said Deed of Trust, Magna Bank, a Federal Savings Bank, f/k/a 1st Trust Bank for Savings, ("Magna Bank") the owner thereof, requested the undersigned to advertise and sell the security according to the terms thereof; and

WHEREAS, in accordance with said request, the said real estate described in said Deed of Trust was advertised for sale in THE TENNESSEAN, a newspaper published in the City of Nashville, Davidson County, Tennessee, the first insertion appearing on May 23, 2008, and subsequent insertions appearing on May 30, 2008, and June 6, 2008, giving the time, terms, place of sale, and description of the real estate; and

WHEREAS, at ten thirty o'clock (10:30 a.m.), on Thursday, June 19, 2008, being the time and at the main door of the Register of Deeds, 501 Broadway, Somme Center, Nashville, Davidson County Tennessee, being the place mentioned in said advertisement, the undersigned offered said real estate for sale in accordance with all the terms and requirements in said Deed of Trust and advertisement of sale made in connection therewith, at which time said real estate was offered for sale at public outcry to the highest and best bidder for cash and was struck off and sold to Magna Bank at and for the sum of $34,999.00 which is the highest and best bid in connection therewith;

WHEREAS, Magna Bank having instructed the undersigned of assignment of its bid to Noble Properties, Inc., a Tennessee corporation, and to deliver the deed to said Noble Properties, Inc.;

NOW, THEREFORE, the undersigned in consideration of the premises and the payment of said bid, which amount has been applied toward the payment of said indebtedness, hereby bargains, sells, conveys, and confirms unto said **Noble Properties, Inc.,** a Tennessee corporation, its successors and assigns the following real estate situated and located in Davidson County, Tennessee, to-wit:

> Land in Davidson County, Tennessee, being Lots 1 (one) and 2 (two) on the Plat of G. W. Ashcraft Subdivision, as of record in Book 57, Page 59, Register's Office for Davidson County, Tennessee. Said lots adjoin and front 63.3 feet on the easterly side of 25th Avenue North and run back 110 feet on the southerly line along the northerly margin of Booker Street and 120 feet on the northerly line along the southerly line of a 12 foot alley to a dead line in the rear on which they measure 66.8 feet thereon.
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> Being the same property conveyed to Lauren O. Westbrook and husband, Fred E. Westbrook, by Warranty Deed from Jon E. Stark, of record in Instrument No. 200301090004227 in the Register's Office of Davidson County, Tennessee.

The conveyance of the aforesaid property is subject to unpaid property taxes, assessments, subdivision restrictions, building lines, and easements of record in the Davidson County Register's Office.

IN WITNESS WHEREOF, E. Franklin Childress, Jr., as Substitute Trustee has hereunto set his hand this the 19th day of June, 2008.

E. FRANKLIN CHILDRESS, JR..
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 19th day of June, 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared E. Franklin Childress, Jr., to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed as Substitute Trustee.

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

SANDRA S. LEE, NOTARY PUBLIC

My commission expires: 9-28-2010

SANDRA S. LEE STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY MY COMM. EXP. SEPT. 28, 2010

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 55,000
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME THIS
THE 21st DAY OF June 2008
Deputy Register

STATE OF TENNESSEE

COUNTY OF SHELBY

I, or we, 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 $34,999.00 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 this _____ day of _____, 2008.

_____
NOTARY PUBLIC

My Commission Expires:

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|---|---|
| PROPERTY ADDRESS: | 2424 Booker Street<br>Nashville, TN 37208 |
| OWNER AND MAIL TAX NOTICE TO: | Noble Properties, Inc.<br>718 Thompson Lane<br>Suite 108<br>Nashville, TN 37204 |
| PREPARED BY AND RETURN TO: | Baker, Donelson, Bearman, Caldwell & Berkowitz, PC<br>165 Madison Avenue, Suite 2000<br>Memphis, TN 38103 |
| TAX ID: | 092-06-0-657.01 |