Davidson County DEEDTRS
Recvd: 11/05/08 11:20 3 pgs
Fees:18.00 Taxes:254.93
20081105-0110020

Prepared by and Return to:
Patrick Taggart/ccollymore 10/30/2008
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 08-22352 /Paul A. Benson and Lynesa L. Benson

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated September 10, 2002, and recorded in the Register's Office of Davidson County, Tennessee, on November 3, 2005 at Instrument No. 200409090109094, re-recorded in Instrument No. 200511030133369, ("Deed of Trust"), Paul A. Benson and Lynesa L. Benson conveyed to Arnold M. Weiss, Trustee, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 200810150103859, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in The Nashville Record - Davidson in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 10/10/2008, 10/17/2008, and 10/24/2008. The sale was held on October 30, 2008, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Les Lazarus and Joshua Lazarus, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $68,899.00; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to Les Lazarus and Joshua Lazarus, its successors and assigns;

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by Les Lazarus and Joshua Lazarus as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Patrick A. Taggart, as Substitute Trustee, does hereby grant, bargain, sell and convey unto Les Lazarus and Joshua Lazarus, its successors and assigns, in fee simple forever, the following described property, to-wit:

**FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF**

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said Les Lazarus and Joshua Lazarus, its successors and assigns, forever, to whom the said, Patrick A. Taggart, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, Patrick Taggart, has hereunto executed, on October 30, 2008.

Patrick Taggart
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On October 30, 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Patrick A. Taggart, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the foregoing instrument for the purposes contained therein.

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

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Notary Public

My Commission Expires:

STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $68,899.00, 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 October 30, 2008.

Notary Public

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Mail Tax Notices to and Property Owner:
Les Lazarus and Joshua Lazarus
915 Lewisburg Park
Franklin, TN 37064

Map & Parcel No.: 074000002600
Property Address: 2351 Neelys Bend Road
Madison, TN 37115

Exhibit "A"

Land in the 11th Civil District of Davidson County, Tennessee, known as the Southwest part of Lot No. 1, on the map of a 16.2 acre tract of the Robert H. Cowley Lands, and described according to copy of a survey thereof made by T.R. Sanford, Surveyor, dated 07/23/68 as follows:

Beginning at a point in the South margin of a proposed street, in the west line of the Land of E. N. Peeler; thence along Peelers Westerly line, S 12 deg. 58 min. W 277 feet, more or less, to the low water mark of the Cumberland River; thence down said river, Westerly 168 feet to the Southeast corner of a tract owned by R.I. Hauge; thence with said Hauges line, and the East line of the Marlin Property, North 3 degrees East 270 feet more or less to a point in the South line of said proposed street, said point being 376 feet, more or less, East of the center line of Neelys Bend Road; thence with the South margin of said proposed Street, N 82 deg. 28 min. E 226.3 feet to the beginning.

This conveyance is subject to any and all restrictions, easements, setback lines, conditions, plat of record, and encumbrances of record in the Registers Office for the aforesaid County.

Said property having a physical address of: 2351 Neelys Bend Road, Madison, TN 37115 (074-00-0/26.00).

Being the same property conveyed to Goldman Sachs Mortgage Company by Deed dated 02/13/02 of record as Instrument No. 20020306-0028403, Registers Office for Davidson County, Tennessee.

Being the same property conveyed to Paul Benson by Special Warranty Deed recorded in Instrument No. 20040909-0109093 in the Registers Office of said County.