Davidson County DEEDTRS
Recvd: 11/24/08 09:42 2 pgs
Fees:13.00 Taxes:462.19
20081124-0114901

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
Fax: 901-761-5690

Name: Marjorie Sears
S&K#: 07-16491

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 26, 2007, recorded in Instrument number 20070504-0053543 in the Register's Office of Davidson County, Tennessee, Marjorie Sears as a single person, conveyed to Aspen Title and Escrow, LLC., Trustee, 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 Instrument Number 20081105-0110152, in the Register's Office of Davidson County, Tennessee; 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 sale Deed of Trust by which advertisement the sale was appointed to be held on November 12, 2008, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 AM; 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 time the said property was struck off and sold to Sutton Funding LLC, whose address is Barclays Capital Real Estate Inc. dba HomEq Servicing, Special Assets - NC 4742, 701 Corporate Center Drive, Raleigh, North Carolina 27607 at and for the sum of $124,917.32, that being the highest and best bid offered; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Sutton Funding LLC, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP., as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Sutton Funding LLC, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Goodlettsville, County of Davidson, State of Tennessee, to-wit:

Described property located in Goodlettsville, Davidson County, State of Tennessee, to wit:

Lot 79, Section 1, Gatewood, filed in Plat Book 3300, Page 47-52, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This legal description is identical with that in Deed of Trust recorded in Instrument number 20070504-0053543 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record Instrument number 20070504-0053543 Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Book 8126, Page 994, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Sutton Funding LLC, its successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP., Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

Ashley M. Jones, Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 12th day of November, 2008, before me, a Notary Public, in and for said State and County, personally appeared Ashley M. Jones, with whom I am personally acquainted, and who, upon oath acknowledged to be an Authorized Agent of Shapiro & Kirsch, L.L.P. the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

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

DEEANNA McKIERNAN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
MY COMM. EXP. 12-28-08

12/28/08
My commission expires:

Notary Public

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 property conveyed (whichever is greater) is $124,917.32.

Affiant

Subscribed and sworn to before me on the date written above

DEEANNA McKIERNAN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
MY COMM. EXP. 12-28-08

12/28/08
My commission expires:

Notary Public

PROPERTY ADDRESS: 443 Gates Road, Goodlettsville, TN 37072

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Sutton Funding LLC
Special Assets - NC 4742
701 Corporate Center Drive
Raleigh, North Carolina 27607

S & K #:07-16491
Map & Parcel – 33.12-14.00