Davidson County DEEDTRS
Recvd: 12/17/08 15:51 4 pgs
Fees:23.00 Taxes:3626.00
20081217-0120981

This Instrument Prepared By:
Joseph P. Rusnak
TUNE, ENTREKIN & WHITE, P.C.
Regions Center, Suite 1700
Nashville, TN 37238
(615) 244-2770

SUBSTITUTE TRUSTEE'S DEED

Address New Owner(s) As Follows:

Mr. & Mrs. David L. Bates
3809 Princeton Avenue
Nashville, TN 37205

Send Tax Bills: New Owner

Mortgagee:

Map-Parcel Numbers:

49-309.00 & 49-99.00

FOR AND IN CONSIDERATION of the sum of $980,000.00 which represents the highest bid at the foreclosure sale held on December 15, 2008 at 2:00 p.m. at the south door of the courthouse in Davidson County, Tennessee pursuant to an appropriate notice of sale published in the Davidson AM, a newspaper of general circulation, on November 28, December 5, and 12, 2008, the undersigned, Joseph P. Rusnak, as substitute trustee, by written instrument recorded at Instrument No. 20081203-0117349, Register's Office for Davidson County, Tennessee, under the power and authority vested in me by a deed of trust dated January 5, 2007 executed by Dent Land Company, LLC to Overland Title Company, LLC, Trustee and recorded at Instrument No. 20070108-0003000, Register's Office for Davidson County, Tennessee, I hereby quitclaim and convey unto David L. Bates and Renee Bates, as tenants by the entirety, their heirs and assigns, all of my right, title and interest in and to a certain tract of land located in Davidson County, Tennessee and described as follows:

Tract I:
Said tract begins at a point in the westerly margin of Whites Creek Pike 50 feet southeast of the southerly margin of an existing private driveway located on a tract of land conveyed to Earl B. Bates, et ux, of record in Book 2805, Page 499, Register's Office for Davidson County, Tennessee, and thence runs in a southeasterly direction along the westerly margin of Whites Creek Pike, fronting thereon 100 feet. Said property then runs back between parallel lines running at right angles to the westerly margin of Whites Creek Pike 120 feet to a dead line in the rear upon which it measures 100 feet. Description taken from previous deed of record.

Tract II:
Land in the 12th, formerly 21st, Civil District of Davidson County, Tennessee, described according to a survey made by Ralph W. C. Lambert, Surveyor, March 24,1954 as follows:

Beginning at a point in the center of Whites Creek Pike, 1936 feet northwesterly from the northeast corner of Lot No. 5 of Block "B" on the plan of Jack Burton's Subdivision, not of record, shown on a survey made by James A. Hamilton, Surveyor, December 21, 1946, conveyed to James F. Reeder and wife, by deed from Willie T. Cato, Jr., of record in Book 1906, Page 31, Register's Office for said county; thence southwestwardly 858 feet to the center of Whites Creek; thence with the meanderings of said creek, northwardly 1,000 feet; thence north 80° ,East 429 feet; thence southeastwardly 138.8 feet; thence northeastwardly 206 feet more or less, to the center or said Pike; thence with the center of said Pike, southeastwardly 704 feet to the beginning, containing 15.5 acres, more or less.

Included in this descriptions, but excluded from this conveyance is a tract of land approximately 1/4 of an acre (TRACT I) which has been conveyed to Earl B. Bates by Deed of record in Book 6835, Page 741, Register's Office for Davidson County, Tennessee. Description taken from previous deed of record.

Being the same property conveyed to David L. Bates, a 1/10 interest, by warranty deed from Earl B. Bates and wife, Mary Ellen Bates, of record in Book 5101, Page 151, Register's Office for Davidson County, Tennessee. In said deed, Earl B. Bates retained a 6/10 interest in the subject property, Mary Ellen Bates retained a 1/10 interest, Richard E. Bates was conveyed a 1/10 interest, and Mark L. Bates was conveyed a 1/10 interest, all as tenants in common. Richard E. Bates conveyed his 1/10 interest to Earl B. Bates & Sons Nursery and Garden Center, Tennessee general partnership, by quitclaim deed of record in Book 6991, Page 644, Register's Office for Davidson County, Tennessee. The said Mary Ellen Bates having since died leaving Amy Bates, Mark L. Bates a/k/a Mark E. Bates, Richard E. Bates, David L. Bates, and Joseph Lynn Bates as her only heirs at law pursuant to the Affidavit fo Heirship of record in Instrument No. 200701080002995, Register's Office for Davidson County, Tennessee. The said Earl B. Bates having since died leaving David L. Bates as sole remaining partner, and devising his interest to Amy Bates, Mark L. Bates a/k/a Mark E. Bates, Richard E. Bates, David L. Bates, and Joseph Lynn Bates by Will of record in Will Book 166, Page 602, Probate Court for Davidson County, Tennessee. Amy Bates having since conveyed all her interest to David L. Bates by quitclaim deed of record in Book 9886, Page 28, and by Instrument No. 200701080002998, Register's Office for Davidson County, Tennessee. Richard E. Bates having since conveyed all his interest to David L. Bates by quitclaim deed of record in Book 9886, Page 32, and by Instrument No. 200701080002998, Register's Office for Davidson County, Tennessee. Joseph Lynn Bates having since conveyed all his interest to David L. Bates by quitclaim deed of record In Book

11250, Page 916, Register's Office for Davidson County, Tennessee. Mark E. Bates a/k/a Mark L. Bates having since conveyed all his interest to David L. Bates by quitclaim deed of record in Instrument No. 200701080002996, Register's Office for Davidson County, Tennessee.

This is improved property located at 3810 & 3814 Whites Creek Pike, Nashville, Tennessee, 37207.

IN WITNESS THEREOF, the undersigned has caused this instrument to be executed on this 16th day of December 2008.

Joseph P. Rusnak, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $980,000.00.

David L. Bates

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Teresa H. Hobbs a Notary Public of said County, Joseph P. Rusnak, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 16th day of December 2008.

NOTARY PUBLIC

My Commission Expires:

TERESA H. HOBBS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.
My Commission Expires AUG. 23, 2011

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

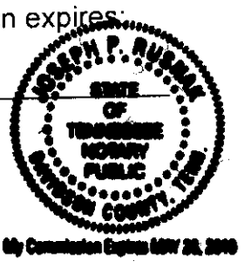
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared David L. Bates, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and official seal at office on this the 17 day of DECEMBER 2008.

Notary Public

My Commission expires:



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