Davidson County DEEDTRS
Recvd: 01/15/09 08:25 5 pgs
Fees:28.00 Taxes:555.00
20090115-0003772

This Instrument Prepared By:
Marshall L. Hix, Esquire
HIX & GRAY, PLC
1230 Regions Center
315 Deaderick Street
Nashville, Tennessee 37238

Name of New Owner:	Send Tax Bills To:	Map and Parcel Nos.:
Helen R. Smith 200 Myhr Green Nashville, Tennessee 37221	SAME	55/4.00 Davidson County 64/4.00 Cheatham County

SUCCESSOR TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions and payments provided for in a Deed of Trust dated October 17, 2005, executed by James Michael Brown (a/k/a Mike Brown) and wife, Amy C. Brown (a/k/a/ Amy Brown) ("Grantors"), of record in Record Book 173, page 662, and re-recorded in Record Book 177, page 294, Register's Office for Cheatham County, Tennessee, and as Instrument No. 20051114-0137037, and re-recorded as Instrument No. 20051219-0151877, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), wherein Grantors conveyed to Brenda R. Lehman, Trustee, the hereinafter described real property (the "Property") to secure a Promissory Note, *et-cetera* (the "Note"), payable to Helen R. Smith, as described in the Deed of Trust; and

WHEREAS, Helen R. Smith has replaced Brenda R. Lehman, Trustee, by naming and appointing Marshall L. Hix and Frank H. Reeves as Successor Trustees by Appointment of Successor Trustees dated July 16, 2007, of record in Record Book 255, page 763, Register's Office for Cheatham County, Tennessee, and as Instrument No. 20070717-0084745, Register's Office for Davidson County, Tennessee, with authority for either of them to act alone with the powers given the Trustee in the Deed of Trust; and

WHEREAS, Grantors have defaulted under the terms of the Note secured by the Deed of Trust and Helen R. Smith, the owner and holder of the Note, has demanded that the Property be

advertised and sold with the cash proceeds (or credit upon the indebtedness secured if Helen R. Smith is the successful purchaser) applied to the outstanding balance due under the Note and the cost of foreclosure in accordance with the terms and provisions of the Note and Deed of Trust; and

WHEREAS, Marshall L. Hix, Successor Trustee, caused the Property to be advertised in accordance with the provisions of the Deed of Trust, advertising that the Property would be sold at 11:30 o'clock a. m., prevailing time on Wednesday, January 7, 2009, inside the south front door of the Davidson County Courthouse, Nashville, Davidson County, Tennessee, to be knocked off and sold to the highest, best and last bidder for cash (or credit upon the indebtedness secured if Helen R. Smith was the successful purchaser), and free from the equity of redemption, homestead, dower, and all other exemptions as provided in the Deed of Trust; but subject to any and all mortgages, liens, claims, and unpaid taxes which may be a prior lien against said property; and

WHEREAS, Marshall L. Hix, Successor Trustee, personally appeared at the appointed time at the Davidson County Courthouse and announced a continuance of the foreclosure sale to Wednesday, January 14, 2009, at 11:30 o'clock a. m., prevailing time, inside the south front door of the Davidson County Courthouse, Nashville, Davidson County, Tennessee, as provided in the Foreclosure Sale Notice issued and published in connection herewith; and

WHEREAS, Marshall L. Hix, Successor Trustee, personally appeared inside the south front door of the Davidson County Courthouse on Wednesday, January 14, 2009, at 11:30 o'clock a. m. and offered the Property for sale at public outcry and the highest, best and last bid received was the sum of One Hundred Fifty Thousand and 00/100 Dollars ($150,000.00) by Helen R. Smith (hereinafter referred to as "Grantee") and the Property was knocked off and sold to Grantee.

NOW, THEREFORE, in consideration of the premises and sum of One Hundred Fifty Thousand and 00/100 Dollars ($150,000.00) cash in hand paid (or credit upon the indebtedness secured if Helen R. Smith is the successful purchaser) by Grantee, Marshall L. Hix, Successor Trustee, has this day bargained and sold and, by the premises, does transfer and convey to Grantee, her heirs and assigns, a certain tract or parcel of land situated partially in Cheatham County, Tennessee, and partially in Davidson County, Tennessee, and described as follows:

> Land in the 13th Civil District of Davidson County, Tennessee, and a portion of the property lying in Cheatham County, Tennessee, being Tract No. 1 on Bull Run Road, as described in the survey by Richardson Morris Company, Surveyors, dated November 7, 1972, as follows:
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> Beginning at a point in the westerly margin of Bull Run Road, at the northeast corner of the property conveyed to V.R. Langley by deed of record in Book 2535, page 633, Register's Office for Davidson County, Tennessee; thence North 69 deg. 15' West 347.40 feet; thence North 66 deg. 08' West 631.17 feet; thence North 55 deg. 00' West 800.25 feet; thence North 32 deg. 00' West 420.75 feet; thence North 25 deg. 00' West 165 feet; thence North 30 deg. 00' West 247.50 feet; thence North 25 deg. 00' West 156.75 feet; thence North 32 deg. 00' West 330 feet; thence North 28 deg. 29' West 553.78 feet; thence South 67 deg. 35' 05" West 593.22 feet; thence North 11 deg. 13' 36" West 465.97 feet; thence North 11 deg. 32" East 177 feet; thence North 43 deg. 29' East 68.61 feet; thence North 1 deg. 51' 18" West 680 feet; thence North 39 deg. 38' West 115.26 feet; thence North 38 deg. 43' East 96.66 feet; thence South 86 deg. 11' East 670.26 feet; thence South 10 deg. 00' West 184.90 feet; thence South 31 deg. 57' East, 2,752.92 feet; thence South 2 deg. 26' East 236.51 feet; thence South 53 deg. 20' East 1,300 feet to a point in the westerly margin of Bull Run Road; thence southerly along the westerly margin of said Bull Run Road, 202 feet to the point of beginning.
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> Being the same property conveyed to Mike Brown and wife, Amy Brown, by deed of even date of record in Book 173, page 659, Register's Office for Cheatham County, Tennessee, and of record in Instrument Number 20051114-0137036, Register's Office for Davidson County, Tennessee.
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> **James Michael Brown is one and the same person as Mike Brown and Amy C. Brown is one and the same person as Amy. Brown.**

This is improved property with the address of 4144 Bull Run Road, Ashland City, Tennessee 37015.

To have and to hold the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, her heirs and assigns forever.

And the Successor Trustee covenants with Grantee that he is lawfully seized and possessed of the Property as Successor Trustee only and, by the terms of the Deed of Trust, has a good right to sell and convey the Property and that Property is unencumbered except for any and all prior mortgages, liens, claims, and any and all unpaid taxes that may be a lien against the Property.

The Successor Trustee further covenants and binds himself, his successors and assigns, to warrant and forever defend the title to the Property to Grantee, her heirs and assigns, against the lawful claims of any persons claiming by or through him as Successor Trustee, but no further or otherwise; it being the intention of the Successor Trustee only to convey to Grantee no greater title in the Property than he received as Successor Trustee and that, as Successor Trustee, he has the right to sell and convey.

This sale is subject to all matters shown on any applicable recorded plat or plan; any unpaid taxes which exist as a lien against the Property; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior encumbrances that may exist against the Property. This sale is also subject to any matter that an accurate survey of the Property might disclose.

Witness my hand this 14th day of January, 2009.

Marshall L. Hix, Successor Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of this county, Marshall L. Hix, Successor Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 14th day of January, 2009.

KAY M. TENPENNY
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 3, 2012

NOTARY PUBLIC

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $150,000.00.

KAY M. TENPENNY
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 3, 2012

AFFIANT

Subscribed and sworn before me on this 14th day of January, 2009.

NOTARY PUBLIC