Davidson County DEEDTRS
Recvd: 01/21/09 09:30 3 pgs
Fees:18.00 Taxes:321.90
20090121-0005049

Prepared by and Return to:
Patrick Taggart/hrylee 01/15/2009
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 08-26525 /Traci R. Rogers

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated April 20, 2006, and recorded in the Register's Office of Davidson County, Tennessee, on April 24, 2006 at Instrument No. 200604240046664, ("Deed of Trust"), Traci R. Rogers conveyed to Real Estate Loan Services of Tennessee, 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 U.S. Bank National Association as Trustee for RASC 2006KS5; and

WHEREAS, U.S. Bank National Association as Trustee for RASC 2006KS5, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 20081205-0117817, 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 12/19/2008, 12/26/2008, and 1/2/2009. The sale was held on January 15, 2009, 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 Daryl Spicer and Brian Oldham, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $87,000.00; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to Daryl Spicer and Brian Oldham, 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 Daryl Spicer and Brian Oldham 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 Daryl Spicer and Brian Oldham, 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 Daryl Spicer and Brian Oldham, 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 January 15, 2009.

Patrick A. Taggart
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On January 15, 2009, 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 $87,000.00, 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 January 15, 2009.

Notary Public

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

Mail Tax Notices to and Property Owner:
Daryl Spicer and Brian Oldham
2007 Kimberly Drive
Mt. Juliet, TN 37122

Map & Parcel No.: 052130B24900C0
Property Address: 3101 Penn Meade Way
Nashville, TN 37214

Exhibit "A"

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Being Lot 14, on the Plan of River Glen, Phase 5, Section 2, as of record in Instrument Number 20031006-0147480, Registers Office of Davidson County, to which Plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Traci R. Rogers, by Warranty Deed from April Hadley, as Trustee under that certain land trust dated the 28th day of March, 2006, and referred to as the 3101 Penn Meade Way Revocable Living Land Trust, dated April 18, 2006 and recorded contemporaneously herewith as Instrument Number 20060424-0046663, in the Registers Office for Davidson County, Tennessee.