RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Kathryn Berry and James C. Alligood, Jr.

GRANTEE(s)
James Deatrick, Jr. and Marty L. Penix

This Instrument Prepared By:
Robert M. Wilson, Jr.
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDTRS
Recvd: 02/11/09 11:39 2 pgs
Fees:12.00 Taxes:0.00
20090211-0011890

Amended
TRUSTEE'S DEED

** Trustee's Deed is being Amended to correct the spelling of Marty L. Penix which was inadvertently referenced as Mary L. Penix on Trustee's Deed recorded January 21, 2009 at Instrument Number 20090121-0005059.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated October 27, 2006 and recorded October 31, 2006, as Instrument No. 20061031-0135001 in the Register's Office of Davidson County, Tennessee, Kathryn Berry and James C. Alligood, Jr. conveyed to Overland Title Company, LLC, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for New Century Mortgage Corporation and New Century Mortgage Corporation's successors and assigns, 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 has appointed **SHELLIE WALLACE** as Successor Trustee and **DEANNA DORROUGH** as Co-Trustee by instrument of record recorded on December 1, 2008 as Instrument No. 20081201-0116138 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 has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; and

WHEREAS, pursuant to said advertisement and notice, on January 7, 2009 at the The Sommet Center in Nashville, Tennessee, 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 James Deatrick, Jr. and Marty L. Penix, at and for the sum of $117,000.00, that being the highest and best bid offered; and

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

NOW, THEREFORE, in consideration of the premises and the payment by James Deatrick, Jr. and Marty L. Penix of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to the said James Deatrick, Jr. and Marty L. Penix, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Lot 31, Hampton Hall, Section Two, as shown on plat of record in Plat Book 9700, Page 662, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property. Description same as previous deed of record. Being the same property conveyed to Kathryn Berry, unmarried, and James Alligood, unmarried, by Warranty Deed from Cynthia R. Langley, unmarried of record in Deed Book 20061031 page 0135000, in the Register's Office of Davidson County, Tennessee.
>
> Commonly known as: 736 Hallcrest Court, Hermitage, Tennessee 37076.
>
> Tax Parcel No.: 098050A06700CO

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto James Deatrick, Jr. and Marty L. Penix, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 5 day of Feb, 2009.

Deanna Dorrough, Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Deanna Dorrough, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 5 day of Feb, 2009.

Lena M. Drennan
Notary Public

My Commission Expires:

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $117,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

James Deatrick, Jr.

Marty L. Penix
Marty L. Penix

ACKNOWLEDGMENT

STATE OF TN

COUNTY OF WILSON

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, James Deatrick Jr. Marty Penix with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in ~~MT~~ Mt. Juliet this 6th day of February, 2009.

Tammy Duncan
Notary Public

My Commission Expires: 1/23/2011

TAMMY DUNCAN
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
James Deatrick, Jr. and Marty L. Penix
1285 N. Mt. Juliet Road
Mt. Juliet TN 37122