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: David Bower
S&K#: 06-2412

Davidson County DEEDTRS
Recvd: 02/13/09 10:39 2 pgs
Fees:13.00 Taxes:202.09
20090213-0012725

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, by Deed of Trust dated July 21, 2000, recorded in Instrument Number 200007250073554 in the Register's Office of Davidson County, Tennessee, David Bower and Barbara Bower, husband and wife, conveyed to I. Dyke Tatum, 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 20080411-0036960, 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 February 5, 2009, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 a.m.; 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 Bank of the West, whose address is Bank of the West, 13505 California Street, Omaha, Nebraska 68154 at and for the sum of $54,620.13, 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 Bank of the West, 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 Bank of the West, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 5 on the unrecorded Map of Margaret L. Dickenson's Subdivision, and being more particularly described as follows:

Beginning at a point in the East margin of Lanier Drive at the corner of Lot Numbers 4 and 5; thence with the line between said lots Easterly 219.1 feet to the West margin of Hailey's Subdivision; thence with the same South 18 degrees 45 minutes East 50 feet to the corner of Lot Numbers 5 and 6; thence with the line between said Lots, Westerly 220.8 feet to the East line of Lanier Drive; thence with the margin of Lanier Drive, North 11 degrees 45 minutes West 50 feet to the beginning.

**This legal description is identical with that in Deed of Trust recorded in Instrument number 200007250073554 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 200007250073554 Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20000725007353 and Quit Claim Deed recorded in Instrument Number 200008150080967, 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 Bank of the West, 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.

Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 10th day of February, 2009, before me, a Notary Public, in and for said State and County, personally appeared Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be the Managing Foreclosure Attorney 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 aforesaid written.

3-25-12
My commission expires:

Notary Public

ROBERT SCHNEIDER STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY

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 $54,620.13.

Affiant

Subscribed and sworn to before me on the date written above.

3-25-12
My commission expires:

Notary Public

ROBERT SCHNEIDER STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY

PROPERTY ADDRESS: 129 Lanier Drive, Madison, TN 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Bank of the West
13505 California Street
Omaha, Nebraska 68154

S & K #:06-2412
Map & Parcel – 04314011900