BILL GARRETT, Davidson County
T20090017607 DEEDTRS
Recvd: 03/17/09 08:31 3 pgs
Fees:18.00 Taxes:747.38
20090317-0023684

Name & Address of Owner for Tax Bills:
Franklin Funding, Inc.
c/o Grassland Financial Services, LLC
1108 Battlewood Street
Franklin, TN 37069

Prepared by:
David G. Mangum, Attorney
2303 Franklin Road
Nashville, TN 37204

MAP/PARCEL: 164-00-0 060.00

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under a Deed of Trust dated June 1, 2007, recorded in Instrument No.20070607-0068603, Register's Office, **Davidson** County, Tennessee, **Leslie Cappama**, married, conveyed to F.B. Murphy, Jr., Trustee, the hereinafter described property to secure the therein mentioned indebtedness; and

WHEREAS, said Deed of Trust was assigned by document of record in Instrument No.20070619-0073272, said Register's Office; and

WHEREAS, by instrument recorded in Instrument No.20080821-0085753 said Register's Office, the lawful owner and holder of the indebtedness described in and secured by the aforementioned Deed of Trust, nominated and appointed David G. Mangum as Substitute Trustee; and

WHEREAS, default having been made in the terms, conditions, and payments made and provided for in said Deed of Trust, and the lawful owner and holder of said indebtedness having declared the entire debt and interest due and payable; and

WHEREAS, the lawful owner and holder of said indebtedness having requested David G. Mangum, Substitute Trustee, to sell said property in satisfaction of the indebtedness; and

WHEREAS, I David G. Mangum, Substitute Trustee, did give proper notice by certified mail, return receipt requested, at least 25 days in advance of sale, to the Internal Revenue Service giving the time, place and terms of the sale; and

WHEREAS, I, David G. Mangum, Substitute Trustee, did give 29 days notice of the time, place and terms of the sale by an advertisement in three weekly publications in *The Davidson AM, of the Tennessean*, a newspaper published in Davidson County, Tennessee, said advertisement appearing in the editions of said newspaper under the dates of February 13, February 20, and February 27, 2009, stating that on Friday, March 13, 2009 at 12:00 Noon, in the hallway just outside the Davidson County Register of Deeds Office located inside the Sommet Center, formerly known as the Gaylord Entertainment Center, 501 Broadway, Downtown Nashville, Tennessee, said property hereinafter described would be sold to the best and highest bidder for cash at public outcry, free from the equity of redemption, homestead, dower, and all other exemptions which are expressly waived in said Deed of Trust, but subject to any and all unpaid real estate taxes; and

WHEREAS, on said date at the time and place stated in said advertisement, and on said terms, I, David G. Mangum, Substitute Trustee, offered said property for sale at public outcry

and sold said property to **Franklin Funding, Inc.**, its successors and assigns, for 201,995.05, which amount was the highest, best, and last bid.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE SUM of the highest, best, and last bid, as set out above, cash in hand paid, the receipt of which is hereby acknowledged, I, **David G. Mangum, Substitute Trustee**, do hereby bargain and sell, and by these presents transfer and convey unto the said **Franklin Funding, Inc.,** (hereinafter referred to as Grantee), its successors and assigns, the following described tract or parcel of land situated and lying in **Davidson** County, Tennessee, and more particularly described as follows:

A Tract or parcel of land in the 2nd, formerly the 3rd Civil District of Davidson County, Tennessee, being part of Lot No. 2 on the Plan of the lands of James Mitchell, deceased, of record in Minute Book "P", Page 36, County Court for said County, described as follows:

BEGINNING in the center of Hamilton Church Road at the southwest corner of the property conveyed to F. H. Wheeler by deed from Mattie S. Cathey, of record in Book 772, page 521, Register's Office for said County; thence South 4 deg. West 52 poles to a post, Scruggs' northwest corner; thence with Scruggs' northerly line, South 86 deg. East 22.4 poles to a gate post; thence North 4 deg. East 43.6 poles to the center of said Road; thence with the center of said road, North 60 deg. West 24 poles, more or less to the beginning.

DEED REFERENCE:
BEING the same property conveyed to Leslie Cappama, married, by deed from Margaret Fakes, a widow, dated August 25, 2005, of record in Instrument No. 20050830-0103878, Register's Office for Davidson County, Tennessee.

MAP/PARCEL: 164-00-0 060.00
PROPERTY ADDRESS: 3527 Hamilton Church Road, Antioch, TN as shown on the tax maps of the Assessor of Property for Davidson County, TN.

This sale is subject to any and all unpaid real estate taxes; restrictive covenants, easements and setback lines; any and all redemption rights, including rights of redemption of any governmental agency, State or Federal; and any and all other prior liens or encumbrances against said real property, including but not limited to that Deed of Trust in favor of Tennessee Funding Company of record in Instrument No.20070312-0030004, said Register's Office. Said sale is further subject to matters that an accurate survey of the property might disclose.

TO HAVE AND TO HOLD said property with the appurtenances, estate, title, and interest thereto belonging to said Grantee, its successors and assigns forever, but subject to said real estate taxes and aforementioned Deed of Trust.

And I do further transfer and assign unto the said Grantee all the rights and benefits of the covenants and warranties in said Deed of Trust in as full and ample manner as under it, I can or should do, but I convey and assign as Trustee and not any further or otherwise.

WITNESS my hand on this the 16th day of March, 2009.

David G. Mangum, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **David G. Mangum**, Substitute Trustee, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this the 16th day of March, 2009.

Kay E. Farmer
Notary Public

KAY E. FARMER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 7-24-2010

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $201,995.05.

Affiant

Subscribed and sworn before me, this 16th day of March, 2009.

Kay E. Farmer
Notary Public

KAY E. FARMER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 7-24-2010

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