BILL GARRETT, Davidson County
Trans:T20090019216 DEEDTRS
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Fees:18.00 Taxes:5550.00
20090324-0026270

This instrument prepared by:
Rick Piliponis, Attorney at Law
116 Third Avenue South
Nashville, Tennessee 37201

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust executed on February 20, 2006, and of record in the Register's Office of Davidson County, Tennessee, under Instrument No. 20060301-0023783 ("Deed of Trust"), BELCAR PROPERTIES, LLC conveyed to Matt Daniels, Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of obligations therein mentioned and set forth; and

WHEREAS, **Clayton Bank and Trust**, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at Instrument No. 20090313-0022820 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 conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 02/12/09, 02/19/09, 02/26/09 in The City Paper, by which advertisement the sale was held on March 13, 2009, at the main entrance of the Register of Deeds Office in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower and homestead; and

WHEREAS, the time and place mentioned in said advertisement, Rick Piliponis, Substitute Trustee, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale, Clayton Bank and Trust, being the highest, best and last bidder became purchaser of said property at and for the sum of $1,500,000.00; and

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of said 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 CLAYTON BANK AND TRUST, as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned, **RICK PILIPONIS, SUBSTITUTE TRUSTEE,** does hereby grant and convey unto **CLAYTON BANK AND TRUST,** their successors and assigns in fee simple forever, the following described property situated in the County of DAVIDSON, State of Tennessee:

Lying and being Thirty-Fourth Councilmatic District of Davidson County as follows:

Land lying in the First Councilman District of Metropolitan Nashville and Davidson County, Tennessee, formerly being within the 14th Civil District of Davidson County, and being located north of Interstate Highway I-24, and west of Whites Creek Pike (State Route 65), and being further described according to a survey by Wm. Robert Seigenthaler, dated January 29, 2004, as follows:

Beginning at an iron pin in the west margin, or right of way, of Whites Creek Pike (State Route 65), said right of way being 60 feet wide; and said beginning point also being the northeast corner of the herein described property, and also being the southeast corner of the property conveyed to Gayron C. Lytle of record in Book 7404, Page 602, Register's Office for Davidson County, Tennessee; thence with said right of way of Whites Creek Pike and with a curve to the right a distance of 235.70 fee to an iron pin at the end of the curve, said curve having a central angle of 7 degrees 11 minutes 00 seconds, radius of 1,879.96 feet, tangent of 118.00 feet, and a chord bearing South 6 degrees 01 minutes 52 seconds East 235.54 feet; thence continuing with said right of way S 2 deg. 26 min 22 sec E 240.60 feet to an iron pin at the northeast corner of the property conveyed to the State of Tennessee for right of way purposes for Interstate Highway I-24 and described as Parcel No. 1 in Book 5124, Page 658, R.O.D.C., Tenn; thence with the right of way line of said Parcel No, 1, S 14 deg 21 min 22 sec W 250.85 feet to a concrete monument marking the beginning of

controlled access to Interstate Highway I-24; thence with said right of way of I-24 and with a curve to the left for a distance of 200.00 feet to an iron pin at the end of a curve, said curve having a central angle of 7 deg 22 min 54 sec, radius of 1,552.39 feet, tangent of 100.14 feet, and a chord bearing S 13 deg 31 min 40 sec E 199.86 feet; thence continuing with said controlled access right of way of I-24, S 17 deg 13 min 03 sec E 154.80 feet to a concrete right of way monument; thence continuing with said controlled access right of way of I-24 S 31 deg 23 min 27 sec W 205.18 feet to a concrete right of way monument; thence continuing with said controlled access right of way S 72 deg 19 min 32 sec W 619.26 feet to an iron pin; thence continuing with said controlled access right of way and with a curve to the right a distance of 238.58 feet to an iron pin at the end of the curve, said curve having a central angle of 22 deg 43 min 22 sec radius of 601.59 feet, tangent of 120.88 feet, and a chord bearing S 83 deg 41 min 14 sec W 237.02 feet; thence continuing with said controlled access right of way N 84 deg 57 min 04 sec W 517.45 feet to a point in the center of Long Creek; thence leaving said controlled access right of way of I-24 and running downstream with the center of Long Creek for the next nine calls, the center of Long Creek being the north boundary line of the property conveyed to Mrs. Charles Binkley of record in Book 3573, Page 405, R.O.D.C., Tenn; thence N 44 deg 00 min 00 sec W 28.00 feet to a point; thence N 62 deg 45 min 00 sec W 48.00 feet to a point; thence N 86 deg 50 min 00 sec W 40.00 feet to a point; thence S 84 deg 35 min 00 sec W 40.00 feet to a point; thence S 84 deg 35 min 00 sec W 40.00 feet to a point; thence N 78 deg 45 min 00 sec W 53.00 feet to a point; thence N 88 deg 55 min 00 sec W 57.00 feet to a point; thence S 85 deg 15 min 00 sec W 20.00 feet to a point; thence S 78 deg 20 min 57 sec W 18.93 feet to a point; thence S 63 deg 30 min 00 sec W 58.51 feet to a point in the center of Long Creek and said point also being located in the north margin of the controlled access right of way of I-24; thence N 86 deg 44 min 44 sec W 40.00 feet with said controlled access right of way and with the north line of Parcel No. 3 conveyed to the State of Tennessee for the right of way of I-24 of record in Book 5124, Page 658, R.O.D.C, Tenn; thence with the north boundary line of the property conveyed to Mrs. Charles Binkley of record in Book 3573, Page 405, R.O.D.C., Tenn, said property being a small parcel of land remaining after the taking of right of way by the State of Tennessee for I-24, and running with the center of Long Creek N 60 deg 00 min 00 sec W 6.00 feet to a point; thence S 87 deg 45 min W 6.00 feet to a point; thence S 75 deg 34 min 41 sec W 7.00 feet to a point in the center of Long Creek and also being on the north controlled access right of way line of I-24; thence with the corner of Long Creek and with the north boundary line of I-24 controlled access right of way for the next three calls, S 66 deg 09 min 07 sec W 16.00 feet to a point; thence N 89 deg 05 min 54 sec W 25.00 feet to a point; thence N 70 deg 39 min 11 sec W 30.00 feet to a point; thence leaving the controlled access right of way of I-24 and running downstream with the center of Long Creek and with the east boundary line of the property conveyed to Geoffrey M. Jones and wife, Deborah A. Jones, of record in Book 9573, Page 972, R.O.D.C., Tenn, N 58 deg 00 min 00 sec W 35.00 feet to a point; thence N 43 deg 45 min 00 sec W 23.00 feet to a point; thence N 4 deg 30 min 00 sec W 30.00 feet to a point; thence N 11 deg 50 min 00 sec E 35.00 feet to a point; thence N 3 deg 00 min 00 sec E 33.00 feet to a point; thence N 11 deg 00 min 00 sec 52.00 feet to a point; thence N 16deg 30 min 00 sec W 73.00 feet to a point; thence N 45 deg 45 min00 sec W 17.00 feet to a point; thence N 63 deg 00 min 00 sec W 25.00 feet to a point; thence N 52 deg 00 min 00 sec W 55.00 feet to a point; thence N 34 deg 00 min 00 sec W 51.00 feet to a point in the center of Long Creek and being in the east boundary line of the property conveyed to Michael D. Sontag, Trustee, of record in Book 2001003, Page 97877, R.O.D.C., Tenn; thence containing with Sontag's (Trustee) east boundary line and with the center of Long Creek N 44 deg 30 min 00 sec W 140.00 feet to a point at the top of a waterfall; thence N 50 deg 30 min 00 sec W 25 feet to a point; thence N 26 deg 20 min 00 sec W 127.00 feet to a point; thence N 30 deg 00 min 00 sec W 42.00 feet to a point; thence N 43 deg 40 min 00 sec W 67.00 feet to a point; thence N 37 deg 00 min 00 sec W 96.00 feet to a point; thence N 21 deg 10 min 00 sec W 42.00 feet to a point; thence N 1 deg 50 min 00 sec E 37.00 feet to a point; thence N 19 deg 50 min 00 sec E 27.00 feet to a point where a branch running westward intersects the center of Long Creek; thence N 19 deg 30 min 00 sec W 54.00 feet to a pointing the center of Long Creek and also being in the east boundary line of the property conveyed to Gayron C. Lytle of record in Book 7846, Page 138, R.O.D.C., Tenn; thence continuing with the center of Long Creek and with Lytle's east boundary line N 12 deg 50 min 00 sec W 105.00 feet to a point; thence N 26 deg 10 min 00 sec W 45.00 feet to a point; thence N 51 deg 15 min 00 sec W 24.00 feet to a point; thence N 36 deg 05 min 00 sec W 24.00 feet to a point ; thence N 15 deg 50 min 00 sec W 24.00 feet to a point; thence N 1 deg 40 min 00 sec W 38.00 feet to a point; thence N 2 deg 35 min 00 sec W 55.00 feet to a point; thence N 29 deg 55 min 00 sec E 55.00 feet to a point; thence N 14 deg 40 min 00 sec E 63.00 feet to a point; thence N 25 deg 10 min 00 sec E 33.00 feet to a point; thence N 11 deg 10 min 00 sec E 42.00 feet to a point; thence N 4 deg 10 min 00 sec E 50.00 feet to a point; thence N 3 deg 20 min 00 sec W 70.52 feet to a point in the center of Long Creek being the southwest corner of the property conveyed to Gayron C. Lytle of record in Book 7404, Page 602, R.O.D.C, Tenn; thence leaving Long Creek and running with Lytle's south boundary line S 87 deg 30 min 00 se E passing an iron pin witness corner at 23.22 feet for a total distance of 2,370.77 feet to the point of beginning, and containing 73.029 acres more or less.

TO HAVE AND TO HOLD the property described above, together with any privileges, appurtenances and hereditaments thereunto belonging or in any way appertaining unto the said **CLAYTON BANK AND TRUST**, his successors and assigns forever, to whom the said Rick Piliponis, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands for all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, Rick Piliponis, Substitute Trustee, has hereunto set his hand, this the 16th day of March, 2009.

RICK PILIPONIS, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 16th day of March, 2009, before me, a Notary Public in and for said County and State, duly commissioned and qualified, personally appeared, Rick Piliponis, with whom I am personally acquainted and who acknowledge that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL at office in the State and County aforesaid, this the 16th day of March, 2009.

TARA HAWLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires September 19, 2009

NOTARY PUBLIC
My commission expires:

AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer of the value of the property transferred, which is greater, is $1,500,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

AFFIANT

Sworn to and subscribed to me before this 16th day of March, 2009.

TARA HAWLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires September 19, 2009

NOTARY PUBLIC
My commission expires:

MAP/PARCEL: 01500000700
PROPERTY ADDRESS: 7305 Whites Creek, Joelton, Tennessee 37080

MAIL TAX NOTICES TO ADDRESS OF NEW OWNERS:

Clayton Bank and Trust
101 East Main Street
Henderson, TN 38340