BILL GARRETT, Davidson County
Trans:T20090019597 DEEDTRS
Recvd: 03/25/09 08:15 2 pgs
Fees:13.00 Taxes:299.37
20090325-0026685

Tennessee
Map: #148/12/170

David Bennett
FLAGSTAR: #501300632

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 22, 2007, and recorded in REGISTER'S INSTRUMENT: #20070131-0012762 in the Register's Office of Davidson County, Tennessee, David Ray Bennett, A Married Man, As Community Property, conveyed to Elite Title Company, LLC, Trustee(s), 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 REGISTER'S INSTRUMENT: #20090211-0012161, in the Register's Office of said County; 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 said Deed of Trust by which advertisement the sale was appointed to be held on March 10, 2009, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Sommet Center F/K/A Gaylord Entertainment Center of Davidson County, Tennessee; 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 sale FLAGSTAR BANK, FSB, a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of EIGHTY THOUSAND NINE HUNDRED TEN DOLLARS AND 00/100; 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 FLAGSTAR BANK, FSB of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said FLAGSTAR BANK, FSB, its successors and assigns in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to-wit:

A CERTAIN TRACT OR PARCEL OF LOCATED IN DAVIDSON COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS TO-WIT:

BEING LOT: #85, ON THE PLAN OF HAZELWOOD SUBDIVISION, SECTION ELEVEN, OF RECORD IN PLAT BOOK: #4300, PAGE: #22, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS MADE FOR A MORE COMPLETE DESCRIPTION.

THIS CONVEYANCE IS MADE SUBJECT TO ANY AND ALL ZONING REGULATIONS, BUILDING RESTRICTIONS, SETBACK LINES, IF ANY, EASEMENTS AND RIGHTS FOR PUBLIC UTILITIES APPLICABLE TO THIS PROPERTY.

DAVID RAY BENNETT, SR. AND WIFE, HELEN T. BENNETT, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20070131-0012761, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto FLAGSTAR BANK, FSB, its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, 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.

The said Substitute Trustee has applied the consideration as follows:

RECORDING APPOINTMENT OF SUBSTITUTE TRUSTEE	12.00
PUBLICATION EXPENSE	296.50
ATTORNEY'S FEES AND TRUSTEES FEES	550.00
CREDIT ON NOTE	80,051.50
	$80,910.00

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on March 10, 2009 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On March 10, 2009 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

NOTARY PUBLIC

SHARON HOGAN STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMM. EXP. 12-9-09

My Commission Expires:

STATE TAX $
CLERK'S FEE $

TOTAL $

PROPERTY ADDRESS
120 DOWDY COURT
ANTIOCH, TENNESSEE 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
FLAGSTAR BANK
5151 CORPORATE DRIVE
TROY, MI 48098

MORTGAGEE: NONE

THIS INSTRUMENT PREPARED BY:
WEISS SPICER, PLLC
ATTORNEYS AT LAW

RETURN TO →
208 ADAMS AVENUE
MEMPHIS, TENNESSEE 38103
(901) 526-8296

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $80,910.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, March 10, 2009
NOTARY PUBLIC
MY COMMISSION EXPIRES

SHARON HOGAN STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMM. EXP. 12-9-09