This instrument prepared by:
J. PHILLIP JONES
ATTORNEY AT LAW
SUITE C-205, NASHVILLE HOUSE
ONE VANTAGE WAY
NASHVILLE, TN 37228
**PARCEL ID: 075 11 0A 053.00**
**1228 ANDREW DONELSON DRIVE**
**HERMITAGE, TENNESSEE 37076**

NO MORTGAGE
New Owner - Send Tax Bills:
**MARTY PENIX AND JAMES DEATRICK, JR.**
**3650 NORTH MT. JULIET ROAD**
**MT. JULIET, TN 37122**

PICK-UP

BILL GARRETT, Davidson County
Trans:T20090024841 DEEDTRS
Recvd: 04/15/09 10:40 2 pgs
Fees:13.00 Taxes:635.16
20090415-0034144

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, on **MAY 25, 2005, JAMES L. FUQUA, JR.,** was named Trustee in a Deed of Trust of even date executed by **DAWN R. DYER, UNMARRIED,** conveying to him as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of **$174,600.00,** principal and interest at **5.3750%** per annum on the unpaid balance, said Deed of Trust being recorded in **INSTRUMENT NO. 20050601-0061415,** in the Register's Office for **DAVIDSON** County, Tennessee; and

WHEREAS, **J. PHILLIP JONES** was appointed Substitute Trustee under said Deed of Trust by instrument of record in **INSTRUMENT NO. 20090310-0021675,** in the Register's Office for **DAVIDSON** County, Tennessee; I, **J. PHILLIP JONES,** Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3) successive publications, namely: **MARCH 13, 2009/ MARCH 20, 2009/ MARCH 27, 2009** in **DAVIDSON A.M.,** a newspaper of general circulation in **DAVIDSON** County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on **FRIDAY, APRIL 3, 2009, AT 3:00 P.M., ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK), OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE,** I, **J. PHILLIP JONES,** individually or by and through his agent, as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time **MARTY PENIX AND JAMES DEATRICK, JR., 3650 NORTH MT. JULIET ROAD, MT. JULIET, TENNESSEE 37122,** submitted the highest and best bid in the amount of **$171,666.00.**

NOW THEREFORE, in consideration of the premises, I, **J. PHILLIP JONES,** Substitute Trustee, do hereby sell, transfer and convey to **MARTY PENIX AND JAMES DEATRICK, JR.,** its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

**PROPERTY LOCATED IN THE COUNTY OF DAVIDSON, TENNESSEE:**

**BEING LOT NO. 40, ON THE PLAN OF PHASE TWO, HERITAGE MEADOWS, OF RECORD IN PLAT BOOK 9700, PAGE 525, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.**

**BEING THE SAME PROPERTY CONVEYED TO DAWN R. DYER, UNMARRIED BY DEED DATED NOVEMBER 23, 1999 OF RECORD IN BOOK 11767 PAGE 722 IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.**

**SEE SUBORDINATION AGREEMENT OF RECORD IN INSTRUMENT NO. 20050601-0061416 WHEREIN THE DEED OF TRUST OF RECORD IN INSTRUMENT NO. 20040507-0052427 IS SUBORDINATED TO THIS DEED OF TRUST.**

**THIS IS IMPROVED PROPERTY KNOWN AS 1228 ANDREW DONELSON DRIVE, HERMITAGE, TENNESSEE 37076.**

I, **J. PHILLIP JONES**, Substitute Trustee, convey to **MARTY PENIX AND JAMES DEATRICK, JR.**, all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at **NASHVILLE** Tennessee, on **APRIL 10, 2009.**

**J. PHILLIP JONES**
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **J. PHILLIP JONES**, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at **NASHVILLE**, Tennessee on **APRIL 10, 2009.**

Notary Public

MELISSA BIDDLE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires May 2 2011

My Commission Expires: 5/2/2011

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is **$171,666.00.**

Affiant

Subscribed and sworn to before me, this **10TH day of APRIL, 2009.**

Notary Public

MELISSA BIDDLE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires May 2 2011

My Commission Expires: 5/2/2011