Box 36

BILL GARRETT, Davidson County
Trans:T20090045613 DEEDTRS
Recvd: 07/07/09 14:35 4 pgs
Fees:23.00 Taxes:1720.50
20090707-0063489

THIS INSTRUMENT PREPARED BY:

Douglas A. Brace, Reg. #3485
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
P.O. Box 198985
Nashville, TN 37219-8985

Name and Address of New Owner: Tenn. Contractors, Inc. 321 Billingsly Court, Suite 3 Franklin, TN 37065-0314	
Send Tax Bills to: New Owner	
Property Address: 1000 Barnes Road Antioch, TN 37013	**Map and Parcel Numbers:** Map 173.00 Parcel 101.00

SUBSTITUTE TRUSTEE'S DEED

THIS INSTRUMENT made and entered into on this the 7th day of July, 2009, by and between **Douglas A. Brace, Substitute Trustee** (**"Grantor"**), and **Tenn. Contractors, Inc.** (the **"Grantee"**).

WHEREAS, by a Deed of Trust dated May 22, 2006 of record under Instrument No. 20060524-0060944, as amended in the First Modification of Deed of Trust of record under Instrument No. 20080226-0018641, Register's Office for Davidson County, Tennessee, T.F Homes, LLC conveyed to James M. McGrew, Jr. and Judith L. Hanson, Trustees for **First Tennessee Bank National Association** (the **"Beneficiary"**), the hereinafter described real estate (the **"Deed of Trust"**), to secure payment of a Promissory Note (Draw Down Line of Credit) dated May 22, 2006 (the **"Note"**) and all other obligations owed to Beneficiary as described in the Deed of Trust; and

WHEREAS, the Deed of Trust and Note were assigned by Beneficiary to **Tenn. Contractors, Inc.** (**"Lender"**), by instrument of record under Instrument No. 20090604-0051617, Register's Office for Davidson County, Tennessee.

WHEREAS, Lender, as holder of the Note, appointed Douglas A. Brace as Substitute Trustee in accordance with the terms and conditions of the Deed of Trust in an instrument of record under Instrument No. 20090604-0051618, Register's Office for Davidson County, Tennessee; and

WHEREAS, default was made in the payment of the Note, and the holder thereof having directed the Substitute Trustee to sell said property, as provided by the Deed of Trust, the Substitute Trustee did advertise the time, place, and terms thereof in the *Tennessean – Davidson AM* having general circulation in Davidson County, Tennessee and published in said county, once a week for three (3) weeks prior to said sale, to wit: said advertisement, in all respects complied with the requirements of the power of sale contained in the Deed of Trust, on the 7th day of July, 2009 at Twelve O'clock (12:00) P.M., the Substitute Trustee offered said property for sale at the Davidson County Courthouse, South Main Door, One Public Square, Nashville, Tennessee, and sold said property to Grantee at the price of Four Hundred Sixty Five Thousand and No/100 ($465,000.00) Dollars (the **"Bid"**), this being the highest and best bid.

NOW, THEREFORE, the Grantor, acting under and by virtue of the power of sale contained in the Deed of Trust, for and in consideration of the Bid, paid for said property by virtue of the public sale aforesaid, and in consideration of the facts hereinbefore recited, has bargained, sold and conveyed and does hereby bargain, sell and convey unto the Grantee, its/their successors and assigns, the following described real estate located in Davidson County, Tennessee, and more particularly described, to wit:

> Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Seiner Acres, of record in Plat Book 6200, page 290, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
> Also known as Lot Nos. 1 through 35, and open spaces on the Plan of Cottage Grove of record under Instrument No. 20071213-0143631, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to TF Homes, LLC by Great Southern Homes, Inc., a Tennessee corporation, of record under Instrument No. 20060524-0060943, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereon, unto Grantee, its/their successors and assigns, said property in fee simple forever, and in bar of all right or equity of redemption.

And the Grantor does hereby transfer, assign, and setover unto Grantee all of the covenants and warranties contained in the Deed of Trust, and does hereby warrant the title as fully as he is authorized to do so as Substitute Trustee, but not further or otherwise. This conveyance is specifically made subject to real estate taxes and the Department of Revenue, State of Tennessee, right of redemption pursuant to T.C.A. §67-1-1433(c)(1). Notice of Foreclosure was properly given pursuant to T.C.A. §67-1-1401 *et seq.*, as confirmed by Exhibit "A".

WITNESS my hand on this 7th day of July, 2009.

Douglas A. Brace, Substitute Trustee

STATE OF TENNESSEE]
]
COUNTY OF DAVIDSON]

Before me, the undersigned, a Notary Public in and for said State and County, personally appeared **Douglas A. Brace**, as said Substitute Trustee, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath acknowledged that he executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal, this 7th day of July, 2009.

NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC
Holly A. Copelin
My Commission Expires
August 23, 2011
STATE OF TENNESSEE

STATE OF TENNESSEE]
]
COUNTY OF DAVIDSON]

The actual consideration or value whichever is greater, for this transfer is $465,000.00.

Affiant

Subscribed and sworn to before me, this the 7th day of July, 2009.

NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC
Holly A. Copelin
My Commission Expires
August 23, 2011
STATE OF TENNESSEE

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STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

June 5, 2009

Mr. Douglas A. Brace
Ortale, Kelley, Herbert & Crawford Law Offices
P. O. Box 198985
Nashville, TN 37219-8985

Re: Foreclosure Sale of Property Owned by: **T. F. HOMES, LLC**
Entity Number: **001 621828091/000**

Dear Mr. Brace:

This is in reference to your letter dated June 5, 2009 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **July 7, 2009** is **$94,894.74**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Donera Adcox, Account Tech I
Special Procedures Section
Revenue Enforcement Division

Da/enc 2

C: *file*

EXHIBIT
tabbies
"A"