BILL GARRETT, Davidson County
Trans:T20090057829 DEEDTRS
Recvd: 08/24/09 13:52 8 pgs
Fees:43.00 Taxes:2645.50
20090824-0079525

This Instrument Prepared by and Return to:
Lancelot L. Minor, III, Attorney
Bourland, Heflin, Alvarez, Minor & Matthews, PLC
5400 Poplar Avenue, Suite 100
Memphis, TN 38119
File No. 2K9222; Loan No. 4244281002

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under a certain Deed of Trust dated March 31, 2006, LATTING ROAD PARTNERS, LLC, conveyed to LANCELOT L. MINOR, III, as Trustee, certain real property and improvements for the purpose of securing the debt and obligations therein described, which Deed of Trust appears of record in the Office of the Register of Davidson County, Tennessee under Instrument No. 20060404–0038226, as modified and extended at Instrument No. 20090330-0028341 in said Register's Office, hereinafter referred to as the "Deed of Trust"; and

WHEREAS, LANCELOT L. MINOR, III and JOHN M. BAIRD, were duly appointed as Substitute Trustees, with each of them having all of the title, powers, duties and obligations to act as Substitute Trustee, by that certain Appointment of Substitute Trustees document, filed of record at Instrument No. 20090630-0060788 in said Register's Office; and

WHEREAS, default has been made in the payment of the debt and obligations secured by the Deed of Trust, and the holder and owner of the debt secured by the Deed of Trust has requested the undersigned to advertise and sell said property conveyed by the Deed of Trust in compliance with the provisions thereof; and

WHEREAS, the Substitute Trustees did, in compliance with the provisions of the Deed of Trust, advertise the sale of said property, the advertisement of sale having been published in *The City Paper*, a newspaper published in Nashville, Davidson County, Tennessee, for twenty-one (21) days by three (3) consecutive weekly notices appearing on July 27, August 3, and August 10, 2009, in said newspaper; said sale having been advertised for Tuesday, August 18,

2009, commencing at 12:00 noon, at the corner of 5th and Broadway at the front entrance to the Sommet Center, in Nashville, Davidson County, Tennessee, at which time and place said property was offered for sale at public outcry to the highest and best bidder for cash; and

WHEREAS, the highest and best bid for said property was then and there made by CADENCE BANK, N.A., to wit; a bid of Seven Hundred Fifty Thousand and zero/100 Dollars ($750,000.00) for said property; and

NOW, THEREFORE, for the consideration named and for and in consideration of and in compliance with the terms of said bid the undersigned, Lancelot L. Minor, III, Substitute Trustee, hereby bargains, sells and conveys unto CADENCE BANK, N.A., the real property advertised and sold as hereinabove recited, situated, and being in Davidson County, Tennessee, and more particularly described as follows:

Being two parcels of land in Nashville, First Civil District, Eighth Councilmanic District, Davidson County, Tennessee, located on both sides of Cooper Lane, South of Demarius Drive, being property conveyed to Jay C. Evans Trust, et al. by deed of record in Book 7677, Page 182, R.O.D.C., each parcel being more particularly described as follows:

NORTH PARCEL:

BEGINNING at concrete monument in the Southerly right-of-way line of Demarius Drive, said monument being Northeasterly 144.43 feet from a concrete monument at the Easterly terminus of a curve return to the Easterly right-of-way line of Cooper Lane;

Thence, with said Southerly right-of-way line the following calls:

with a curve to the left 143.25 feet to a point, said curve having a central angle of 19°05'58", a radius of 429.73 feet, a tangent of 72.30 feet and a chord of North 35°02'59" East, 142.59 feet;

North 25°30'00" East, 100.00 feet to a point;

with a curve to the right 288.38 feet to a point, said curve having a central angle of 91°17'15", a radius of 181.00 feet, a tangent of 185.11 feet, and a chord of North 71°08'21" East, 258.83 feet;

with a curve to the right 20.56 feet to a point, said curve having a central angle of 08°39'45", a radius of 136.00 feet, a tangent of 10.30 feet, and a chord of South

58°53'09" East, 20.54 feet;

with a curve to the left 86.36 feet to a point, said curve having a central angle of 20°42'11", a radius of 239.00 feet, a tangent of 43.66 feet, and a chord of South 64°54'22" East, 85.89 feet;

with a curve to the left 150.00 feet to a point; said curve having a central angle 14°34'02", a radius of 590.00 feet, a tangent of 75.41 feet and a chord of South 81°53'55" East, 149.60 feet;

South 89°43'00" East, 10.00 feet to a point;

with a curve to the right 74.10 feet to a point in the Westerly right-of-way line of Riverwood Circle, said curve having a central angle 82°55'10", a radius of 51.20 feet, a tangent of 45.23 feet and a chord of South 45°45'21" East, 67.80 feet;

Thence, leaving said right-of-way line with a curve to the left 220.54 feet to a point said curve having a central angle of 11°48'12", a radius of 1070.54 feet, a tangent of 110.66 feet and a chord of South 10°16'35" East, 220.15 feet;

Thence, with said right-of-way line with the Southerly line of Addition No. 3 to Riverwood Heights Subdivision, as of record in Book 2083, Page 06, R.O.D.C., North 75°49'38" East, 163.19 feet to a point;

Thence, continuing with said line South 74°15'00" East, 850.00 feet to a point;

Thence, with the Easterly line of said subdivision North 15°45'00" East, 119.10 feet;

Thence, leaving said line with the Southerly line of Section Four, Riverwood Heights as of record in Book 2330, Page 99, R.O.D.C., South 74°15'00" East, 127.35 feet to a point in the Westerly line of Riverwood Terrace as of record in Book 1835, Page 134, R.O.D.C.;

Thence, with said line and the Westerly line of Gibson Heights, as of record in Book 1835, Page 133, R.O.D.C., South 32°19'48" West, 1347.58 feet to a point;

Thence, leaving said line with the Northerly line of property conveyed to Mark S. Hollingshead, et al, by deed of record in Book 8435, Page 297, R.O.D.C., North 41°12'15" West, 114.81 feet to a point;
Thence, with the Westerly line of said Hollingshead property, South 35°30'46" West, 139.60 feet to a point in the Northerly right-of-way line of Cooper Lane;

Thence, with said right-of-way line the following calls:

North 38°12'11" West, 33.30 feet to a point;

with a curve to the left 190.02 feet to a point; said curve having a central angle of 33°30'00", a radius of 325.00 feet, a tangent of 97.81 feet and a chord of North 54°57'11" West, 187.33 feet;

with a curve to the right 154.20 feet to a point; said curve having a central angle of 32°50'11", a radius of 269.05 feet, a tangent of 79.28 feet, and a chord of North 55°17'05" West, 152.09 feet;

North 38°52'00" West, 344.88 feet to a point;

Thence, leaving said right-of-way line with the Easterly line of Section One, Riverwood Heights, as of record in Book 2854, Page 34, R.O.D.C., North 51°12'02" East, 190.00 feet to a point;

Thence, with the Northerly line of said subdivision the following calls:

North 29°19'00" West, 181.50 feet to a point;

North 65°06'51" West, 135.00 feet to a point;

North 47°52'19" West, 154.90 feet to a point;

with a curve to the left 52.94 feet to a point, said curve having a central angle of 11°39'56", a radius of 260.00 feet, a tangent of 26.56 feet, and a chord of North 36°16'00" East, 52.84 feet;

North 59°28'58" West, 142.40 feet to a point;

North 20°38'33" West, 190.20 feet to a point;

North 71°47'24" West, 22.60 feet to a point;

North 45°06'22" West, 129.21 feet to the Point of Beginning.

Containing 1,420,658 square feet or 32.61 acres, more or less.

SOUTH PARCEL:

BEGINNING at a point in the Southerly right-of-way line of Cooper Lane, said point being the Easterly terminus of a curve return to the easterly right-of-way

line of Ravenwood Drive;

Thence, with said Southerly right-of-way line the following calls:

South 38°52'00" East, 1324.09 feet to a point;

with a curve to the left 182.85 feet to a point, said curve having a central angle of 32°50'11", a radius of 319.05 feet, a tangent of 94.01 feet, and a chord South 55°17'05" East, 180.36 feet;

with a curve to the right 160.79 feet to a point, said curve having a central angle of 33°30'00" a radius of 275.00 feet, a tangent of 82.77 feet, and a chord of South 54°57'11" East, 158.51 feet;

South 38°12'11" East, 175.97 feet to a point;

Thence, leaving said right-of-way line with the Westerly line of property conveyed to Metro Government Power Board by deed of record in Book 2202, Page 335, R.O.D.C., South 32°15'04" West, 103.08 feet to a point;

Thence, with the Southerly line of said Power Board property, South 38°22'26" East, 68.67 feet to a point;

Thence, with the Southerly line of the Revised Resubdivision of Part of Lot One, Riverwood Estates as of record in Book 6200, Page 574 R.O.D.C., South 38°15'23" East, 241.57 feet to a point;

Thence, with the Southerly line of Cooper Lane Estates as of record in Book 5200, Page 567, R.O.D.C., South 38°46'40" East, 384.02 feet to a point;

Thence, leaving said line with the Westerly line of Section One, Henderson Gardens as of record in Book 2900, Page 75, R.O.D.C., South 54°55'25" West, 81.24 feet to a point;

Thence, with the Northerly line of said Henderson Gardens and the Northerly line of Section Three, Burchwood Gardens, as of record in Book 2900, Page 116, R.O.D.C., the following calls:

North 87°05'34" West, 20.13 feet to a point;
North 60°29'34" West, 52.40 feet to a point;
North 60°01'27" West, 89.95 feet to a point;
North 59°18'01" West, 59.97 feet to a point;
North 67°43'15" West, 106.34 feet to a point;
North 52°20'45" West, 385.02 feet to a point;

North 51°15'36" West, 283.07 feet to a point;
North 29°33'37" West, 108.72 feet to a point;
North 40°48'10" West, 173.18 feet to a point;

Thence, with the Northerly line of Section Eight, Riverwood Heights as of record in Book 3842, Page 157, R.O.D.C., the following calls:

North 85°40'48" West, 217.82 feet to a point;
South 50°48'12" West, 1051.89 feet to a point;
North 30°23'03" West, 7.90 feet to a point;
South 61°10'18" West, 100.00 feet to a point;
South 28°17'10" East, 15.67 feet to a point;

Thence, with the Northerly line of Section Three Burchwood Gardens as of record in Book 2900, Page 116, R.O.D.C., North 88°06'13" West, 179.76 feet to a point;

Thence, leaving said line with the Easterly line of Dalewood, Section Three, as of record in Book 1835, Page 20, R.O.D.C., the following calls:

North 01°17'03" East, 203.65 feet to a point;
North 54°31'07" East, 155.77 feet to a point;
North 33°00'47" West, 107.00 feet to a point;
North 34°19'13" East, 56.80 feet to a point;
North 62°30'43" East, 532.80 feet to a point;
North 51°10'43" East, 234.80 feet to a point;
North 44°15'13" East, 228.00 feet to a point;
North 45°11'54" East, 136.90 feet to a point;
North 34°09'54" East, 130.30 feet to a point;
North 21°13'48" West, 139.17 feet to a point;
North 38°20'02 West, 701.00 feet to a point in the Southerly right-of-way line of Ravenwood Drive;

Thence with said right-of-way line North 51°39'58" East, 144.52 feet to a point;

Thence, continuing with said right-of-way line with a curve to the right 39.04 feet to the Point of Beginning, said curve having a central angle of 89°28'02", a radius of 25.00 feet, a tangent of 24.77 feet and a chord of South 83°36'01" East, 35.19 feet.

Containing 1,153,773 square feet or 26.49 acres, more or less.

Being the same property conveyed to Latting Road Partners, LLC, a Tennessee Limited Liability Company, by Quit Claim Deed of record in Instrument No. 20050420-0043835, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD unto said CADENCE BANK, N.A., its successors and assigns, in fee simple forever.

The said Lancelot L. Minor, III, Substitute Trustee, hereby warrants the title to the above-described property against the lawful claims of all persons claiming same by, through, and under him, but not further or otherwise. The property herein conveyed remains subject to all applicable and unpaid taxes, easements and restrictions of record in the Register's Office of Davidson County, Tennessee, and all other encumbrances of record that have priority over the lien of the Deed of Trust. The title is believed to be good, but the undersigned hereby sells and conveys only as Substitute Trustee.

WITNESS, the signature of the undersigned Trustee, this 18th day of August, 2009.

LANCELOT L. MINOR, III
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Lancelot L. Minor, III, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

WITNESS, my hand and Notarial Seal at this office this 18th day of August, 2009.

JOHN M. BAIRD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires 1-23-10

NOTARY PUBLIC

My Commission Expires: 1-23-10

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that to the best of the Affiant's knowledge, information and belief, the actual consideration for this transfer or value of property transferred, whichever is greater is $ 715,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

AFFIANT

SUBSCRIBED AND SWORN to before me this 18th day of August, 2009.

NOTARY PUBLIC

JOHN M. BAIRD
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires 1-23-10

My Commission Expires:
1-23-10

Property Address:

Undeveloped real property, Cooper Lane
Davidson County, Tennessee

Name and Address of Owner and Mail Tax Bills to:

Cadence Bank, N.A.
6075 Poplar Avenue, Suite 120
Memphis, TN 38119
ATTN: Frazer Gieselmann, Sr. Vice President

Recording Fee and Transfer Tax: $_____

TAX PARCEL NOS.: (1) 073-050-140.00; (2) 072-120-315.00; (3) 073-050-022.00; (4) 073-050-149.00; (5) 073-090-003.00; (6) 073-090-004.00; (7) 073-090-064.00; and (8) 073-090-065.00