PICK-UP

BILL GARRETT, Davidson County
Trans:T20090061753 DEEDTRS
Recvd: 09/09/09 10:11 4 pgs
Fees:23.00 Taxes:1172.16
20090909-0084352

THIS INSTRUMENT PREPARED BY: **Marcy E. Shelton** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** 315 Deaderick Street Suite 1100 P. O. Box 198888 Nashville, Tennessee 37219-8888 (615) 244-4994	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is $316,800.00. Affiant Subscribed and sworn to before me, this 3rd day of September, 2009. Notary Public My Commission Expires:

JAN O'BRIEN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010

Address new owners as follows:	Send Tax Bills to:	Map-Parcel Numbers
The Bank of Nashville 401 Church Street P. O. Box 198986 Nashville, TN 37219-8986	Same	026060A07800CO 026060A07900CO 026060A08000CO 026060A08100CO 026060A08200CO 026060A08300CO

SUCCESSOR TRUSTEE'S DEED

WHEREAS, DIAL PROPERTIES, LLC, by a Construction Deed of Trust dated September 6, 2007, to William W. Winfree, Trustee, (the "Deed of Trust") to secure indebtedness

described therein payable to The Bank of Nashville of record as Instrument No. 20070906-0107318, Register's Office for Davidson County, Tennessee; and

WHEREAS, Marcy E. Shelton was appointed Successor Trustee by the owner and holder of said indebtedness by Appointment of Successor Trustee of record as Instrument No. 20090724-0069583, Register's Office for Davidson County, Tennessee; and

WHEREAS, default was made in the payment of said indebtedness; and

WHEREAS, the owner and holder demanded that the property be advertised and sold in satisfaction of said indebtedness, and the costs of foreclosure in accordance with the terms and provisions of said Deed of Trust; and

WHEREAS, pursuant to instructions of the owner and holder, the Successor Trustee advertised said property for sale in accordance with the terms and provisions of the Deed of Trust, notices of the time and place of said sale having been published in the **The Tennessean** on August 7, August 14 and August 21, 2009; and

WHEREAS, the Successor Trustee, as required by the terms of the Deed of Trust, offered said property for sale to the highest bidder for cash, at public outcry, at the front (south) door of the Davidson County Courthouse located at One Public Square, Nashville, Davidson County, Tennessee, at 11:00 o'clock A.M. on Thursday, September 3, 2009, and **THE BANK OF NASHVILLE** (hereinafter "Grantee"), being the highest and best bidder thereof, became the purchaser of said property at and for the sum of **THREE HUNDRED SIXTEEN THOUSAND EIGHT HUNDRED and NO/100 ($316,800.00) DOLLARS**, which sum was set off against the secured indebtedness.

NOW, THEREFORE, Marcy E. Shelton, in her capacity as Successor Trustee, and not otherwise, in consideration of the premises and payment of the sum stated above, hereby transfers

and conveys to the Grantee, its successors and assigns, certain real property, situated in Davidson County, Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot Nos. 75, 76, 77, 78, 79 and 80 on the Final Plat for The Townhomes at Windsor Green, Phase 1, Section 3, of record as Instrument No. 20040109-0003983, and Instrument No. 20041112-0136380, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
>
> Being part of the same property conveyed to Dial Properties, LLC by deed from USI Properties, Inc., a Delaware corporation, of record in Book 10832, page 144, Register's Office for Davidson County, Tennessee.

The street addresses of this property are:

138 Canton Court, Goodlettsville, TN
140 Canton Court, Goodlettsville, TN
142 Canton Court, Goodlettsville, TN
144 Canton Court, Goodlettsville, TN
146 Canton Court, Goodlettsville, TN
148 Canton Court, Goodlettsville, TN

This conveyance is made subject to:

1. 2008 City of Goodlettsville taxes, a lien, currently delinquent;

2. 2009 Metro taxes, a lien, but not yet due and payable until October 1, 2009.

3. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 6117, page 290, Register's Office for Davidson County, Tennessee.

4. Declaration of Covenants, Conditions, Liens, Easements and Restrictions, including, but not limited to, easements, assessments, special assessments, charges and liens, contained in an instrument of record in Book 11164, page 69, Register's Office for said County, as amended in Instrument No. 20011108-0122758, Register's Office for said County.

5. Matters shown on the Plan of record as Instrument No. 20040109-0003983 and Instrument No. 20041112-0136380, Register's Office for Davidson County, Tennessee.

6. Easement of record in Book 4377, page 94, Register's Office for Davison County, Tennessee.

7. Canton Court is a private road.

8. Any matters encumbering the Property which have a priority over the Deed of Trust.

TO HAVE AND TO HOLD the aforesaid real property free from the equity of redemption, the statutory right of redemption, exemptions of homestead, rights by virtue of marriage, and all other rights and exemptions of every kind, all of which have been waived in the Deed of Trust, in as full and complete manner as the undersigned, in her capacity as Successor Trustee, and not otherwise, has the power to convey the same.

Marcy E. Shelton, as Successor Trustee, and not otherwise, warrants the title to said property to the Grantee, and its successors and assigns, against the lawful claims of all persons claiming by, through or under her, but not otherwise.

IN WITNESS WHEREOF, this instrument has been executed on this the 3rd day of September, 2009.

Marcy E. Shelton, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **MARCY E. SHELTON, SUCCESSOR TRUSTEE**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 3rd day of September, 2009.

Notary Public

My Commission Expires:_____

JAN O'BRIEN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22, 2010