RW

BILL GARRETT, Davidson County
Trans:T20090064782 DEEDTRS
Recvd: 09/22/09 14:20 3 pgs
Fees:17.00 Taxes:0.00
20090922-0088316

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $0.

J. Frank Rudy, Jr., Esq.

RACHEL L. POWERS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Subscribed and sworn to before me on this 22nd day of September, 2009.

Rachel L. Powers
Notary Public

My Commission Expires: 9/25/2010

This Instrument Was Prepared By:
J. Frank Rudy, Jr., Esq.
Rudy, Wood & Winstead, PLLC
1812 Broadway
Nashville, Tennessee 37203

Address of New Owner:	Send Tax Bills to:	Map-Parcel:
First State Bank	First State Bank	Map 93-6-1
221 Harrison Street	221 Harrison Street	Parcel 87
Union City, Tennessee 38281	Union City, Tennessee 38281	

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Anthony Cherry, by Deed of Trust (the "Deed of Trust") dated January 23, 2008, of record, Instrument Number 20080310-0023945, Register's Office for Davidson County, Tennessee, conveyed to First State Bank and John C. Clark, Trustee, the hereinafter described real property to secure the payment of certain Indebtedness described in the Deed of Trust, which indebtedness was payable to First State Bank; and

WHEREAS, the undersigned was appointed Substitute Trustee by the owner and holder of the Note by an instrument of record in Instrument Number 20090224-0016116, Register's Office for said County; and

WHEREAS, default was made in the payment of the Note; and

WHEREAS, the owner and holder of the Note demanded that the Substitute Trustee foreclose the Deed of Trust; and

WHEREAS, pursuant to instructions of the owner and holder, the Substitute Trustee advertised said property, Unit 1012, 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 Tennessean on March 20, 2009, March 27, 2009 and April 3, 2009; and

WHEREAS, the Substitute Trustee, as required by the terms of the Deed of Trust, offered said property, Unit 1012, for sale to the highest bidder for cash, at public outcry, at the front door of the Davidson County Courthouse, Nashville, Tennessee on or about 10:00 am., April 10, 2009, and First State Bank (hereinafter "Grantee") being the highest and best bidders thereof, became the purchaser of said property for the sum of Three Hundred and Eighty Five Thousand ($385,000.00) DOLLARS; and

WHEREAS, a Modification of Deed of Trust was executed and recorded on August 25, 2009, amending Exhibit A, the property description, by adding the additional Unit 1010 from the Grantors' physical combination of Units 1010 and 1012, such Modification of Deed of Trust is of record, Instrument Number 20090825-0080162, Register's Office for Davidson County, Tennessee; and

WHEREAS, pursuant to instructions of the owner and holder, the Substitute Trustee advertised said property for a second sale which included, Unit 1010, 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 Tennessean on August 28, 2009, September 4, 2009 and September 11, 2009; and

WHEREAS, the Substitute 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 door of the Davidson County Courthouse, Nashville, Tennessee on or about 10:00 am., September 18, 2009, and First State Bank, being the highest and best bidders thereof, became the purchaser of said property; and

WHEREAS, full transfer tax was paid on the Substitute Trustee's Deed executed on January 23, 2008, of record, Instrument Number 20080414-0033789, Register's Office for Davidson County, Tennessee.

NOW, THEREFORE, J. Frank Rudy, Jr., Esq. in his capacity as Substitute Trustee, and not otherwise, for and in consideration of a premises and the payment of the sum stated above, the receipt of which is hereby acknowledged, hereby transfers and conveys to the Grantees, their successors and assigns, certain real property located in Davidson County, Tennessee, more particularly described as follows:

> A certain condominium apartment known as Unit Nos. 1010 and 1012 of the Horizontal Property Regime of Viridian Condominium pursuant to Master Deed of record as Instrument No. 20061004-0122833 and Addendum of record in Instrument No. 20061004-0122834 and 20070711-0082578, Register's Office for

Davidson County, Tennessee, to which reference is made for a more complete description.

Being the same property conveyed to Anthony Cherry by Warranty Deed from Viridian Development Company, LLC dated January 31, 2007 as of record in Instrument No. 20070205-0014816, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the aforesaid property free from all legal, equitable and statutory rights of redemption, exemptions of homestead, rights by virtue of marriage, and other exemptions, all of which have been waived in the Deed of Trust, in as full and complete manner as the undersigned, in his capacity as Substitute Trustee, and not otherwise, has the power to convey the same, but subject to the matters set forth herein.

IN WITNESS WHEREOF, the undersigned has executed this instrument on the 22nd day of September, 2009.

J. Frank Rudy, Jr., Esq., Substitute Trustee

RACHEL L. POWERS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 22nd day of September, 2009, before me personally appeared J. Frank Rudy, Jr., Esq., Substitute Trustee to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who acknowledged the execution of same to be his free act and deed.

Witness my hand and official seal, this the 22nd day of September, 2009.

Rachel L. Powers
Notary Public

My Commission Expires: 9/25/2010