BILL GARRETT, Davidson County
Trans:T20090065557 DEEDTRS
Recvd: 09/25/09 13:20 3 pgs
Fees:18.00 Taxes:1304.25
20090925-0089343

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $352,500.00.

Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 22 day of September, 2009.

Notary Public

My Commission Expires: 10/10/09

DONALD R. BARRETT, JR. STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY

SUBSTITUTE TRUSTEE'S DEED

THIS INSTRUMENT WAS PREPARED BY
Sidwell, Barrett & Welch, P.C.
121 First Avenue South, Suite 200
Franklin, TN 37064

ADDRESS NEW OWNER(S) AS FOLLOWS:
GreenBank
9200 Carothers Parkway, Ste 108
Franklin, TN 37067

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL:
163020B Parcels 117 – 132; 139 – 169
00CO

WHEREAS, Grand Developers, LLC by Deeds of Trust (the "Deed of Trust") dated July 10, 2006 of record as Instrument No. 20060713-0084295 Register's Office for Davidson County, Tennessee and Dated February 6, 2007 of record as Instrument No. 20070925-0114111 conveyed to C. Richard Bobo, Trustee, the hereinafter described property to secure the payment of a certain Promissory Notes (the "Note") described in the Deeds of Trust, which Notes were was payable to Cumberland Bank; and

WHEREAS, GreenBank is the successor by merger to Cumberland Bank;

WHEREAS, the undersigned was appointed Substitute Trustee by the owner and holder of the Note by an Instrument of Record as Instrument No. 20090624-0058733 and Instrument No. 200090624-0058731 Register's Office for Davidson County, Tennessee; and

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

WHEREAS, the owner and holder of the Notes demanded the Substitute Trustee foreclose the Deeds of Trust; and

WHEREAS, pursuant to instructions of the owner and holder, the Substitute 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 Tennessean on July 24, 2009, July 31, 2009 and August 7, 2009 and also on August 7, 2009, August 14, 2009 and August 21, 2009; and

WHEREAS, the Substitute Trustee as required by the terms of the Deed of Trust, postponed and relocated the sale from the front door of the Davidson County Courthouse to the property and thus offered said property for sale to the highest and best bidder for cash, at public outcry, at approximately 12:00 PM on September 15, 2009, and GreenBank (herein "Grantee") being the highest and best bidder thereof, became the purchaser of said property for the sum of **Three Hundred Fifty Two Thousand Five Hundred and 00/100 Dollars ($352,500.00);** and

NOW THEREFORE, Donald R. Barrett, Jr., in his capacity as Substitute Trustee and not otherwise, for an 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:

Land in Davidson County, Tennessee, being Lots No. 109 - 124; 131 - 136; 137 - 141; 142 - 161 on the Plan of Berkley Hall Section Two, Formerly known as Hickory Highlands, PUD Phase II as shown on the Master Deed to Berkley Hall Townhomes appearing of record in Instrument No. 20050705-0079992 Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete description thereof.

Being part of the same property conveyed to Grand Developers, LLC, a Tennessee limited liability company by deed of record in Instrument No. 20060713-0084292 Register's Office for Davidson County, Tennessee. The property was further conveyed by Grand Developers, LLC to C. Richard Bobo, Trustee by Deed of trust of record at Instrument No. 20060713-0084295 Register's Office for Davidson County, Tennessee; the said C. Richard Bobo having been replaced by Donald R. Barrett, Jr., as Substitute Trustee by Instrument of Record in Instruments No. 20090624-0058733 and 20090624-0058731 Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

All matters appearing on the plan of record in Book 974, page 64 Register's Office for Davidson County, Tennessee.

Tenants in possession under unrecorded leases.

Davidson County Taxes for the year(s) 2009 and thereafter, a lien not yet due and payable.

Charter of record in Instrument No. 20061127-0146201 Register's Office for Davidson County, Tennessee.

Restrictions of record in Instrument No. 20061031-0135165 and 20070509-0055919 Register's Office for Davidson County, Tennessee.

By-Laws of record in Book 11568, page 301 Register's Office for Davidson County, Tennessee.

Plan of record in Instrument 20050706-0077601, corrected in Instrument No. 20050725-0086047, Instrument No. 20050725-0086048 and ratified in Instrument No. 20050923-0114416; also Instrument No. 20050125-0008851 corrected in Instrument No. 20050223-0019584; and Instrument No. 20070621-0074238 Register's Office for Davidson County, Tennessee.

Master Deed of record at Instrument No. 20061127-0146201 and 20070705-0079992 Register's Office for Davidson County, Tennessee.

All other restrictions, easements and agreements of record.

This is unimproved property.

TO HAVE AND TO HOLD the said tract or parcel of land free from all legal, equitable and statutory rights of redemption, exemptions of homestead, rights by virtue of marriage, and all other 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 his capacity as Substitute Trustee and not otherwise, has the power to convey the same but subject to the matters set forth herein. Subject to such matters set forth herein, **Donald R. Barrett, Jr.**, as Substitute Trustee, and not otherwise warrants the title to said property to the Grantee is successors and assigns, against the lawful claims of all persons claiming by or through or under him, but not otherwise.

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

Donald R. Barrett, Jr., Substitute Trustee

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Donald R. Barrett, Jr., with whom I am personally acquainted and who proved himself to be the Substitute Trustee of GreenBank, Inc., and who, being authorized to do so, acknowledged he executed the forgoing instrument for the purposes therein contained.

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

Notary Public

My Commission Expires: 10-28-12

JACKSON M. WELCH, JR. STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY