BILL GARRETT, Davidson County
Trans:T20090066768 DEEDTRS
Recvd: 10/01/09 11:06 3 pgs
Fees:18.00 Taxes:466.20
20091001-0091126

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $126,000.00.

Kim A. Williams
Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 30th day of September, 2009.

Dorothy E. Welch
Notary Public

My Commission Expires: 6-20-11

DOROTHY E. WELCH 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:
Shaw Enterprises, LLC
P.O Box 8081
Columbia, TN 38402

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL:
188100A12400CO

WHEREAS, Capstone Homebuilders Group, LLC by Deed of Trust (the "Deed of Trust") dated November 20, 2007 of record as Instrument No. 20071211-0142775 Register's Office for Davidson County, Tennessee conveyed to Kenneth Clark Hood, Trustee, the hereinafter described property to secure the payment of a certain Promissory Note (the "Note") described in the Deed of Trust, which Note was payable to GreenBank; and

WHEREAS, the undersigned was appointed Substitute Trustee by the owner and holder of the Note by an Instrument of Record as Instrument No. 20090709-0064203 Register's Office for Davidson County, Tennessee; and

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

WHEREAS, the owner and holder of the Note demanded the Substitute Trustee foreclose the Deed 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 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 2:00 PM on September 16, 2009, and Shaw Enterprises, LLC (herein "Grantee") being the highest and best bidder thereof, became the purchaser of said property for the sum of **One Hundred Twenty Six Thousand and 00/100 Dollars ($126,000.00); 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 Lot No. 38B on the Plan of Carothers Crossing, Phase 2 Section 1 Lots 21 - 61, as of record in Instrument No. 20070807-0093924 as amended in Instrument No. 20081126-0115947 Register's Office for Davidson County, Tennessee to which plan reference is hereby made for a more complete description thereof.

Being the same property conveyed to Capstone Homebuilders Group, LLC, by deed from Wood Ridge Development, Inc. of record in Instrument No. 20071211-0142774 Register's Office for Davidson County, Tennessee. The property was further conveyed by Capstone Homebuilders Group to Kenneth Clark Hood, Trusteee by Deed of trust of record at Instrument No. 20071211-0142775 Register's Office for Davidson County, Tennessee; the said Kenneth Clark Hood been replaced by Donald R. Barrett, Jr., as Substitute Trustee by Instrument of Record in Instrument No. 20090709-0064203 Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Plan of record in Instrument No. 20081126-0115947 Register's office for Davidson County, Tennessee

Storm Drainage Easement of record in Instrument No. 20070703-0079178 Register's Office for Davidson County, Tennessee.

Pipeline Easement of record in Book 4588, page 484 Register's Office for Davidson County, Tennessee.

Easement and memorandum agreement of record in Instrument No. 20070123-0009057 Register's Office for Davidson County, Tennessee.

Easement for Storm Water Detention of record in Instrument No. 20070702-0078659 Register's Office for Davidson County, Tennessee.

Easement & Inspection Maintenance Agreement for Private Stormwater Management Facilities of record in Instrument No. 20070711-0082648 Register's Office for Davidson County, Tennessee.

Restrictions of record in Instrument No. 20070627-0076582 as amended in Instrument No. 20070821-0099817, 20070821-0099818 and 20080515-0049892 Register's Office for Davidson County, Tennessee.

Charter for Carothers Crossing of record in Instrument No. 20070307-0027908 Register's Office for Davidson County, Tennessee.

Maser Deed of record in Instrument No. 20070627-0076581 as amended in Instrument No. 20080515-0049893 Register's Office for Davidson County, Tennessee.

All other easements and restrictions of record.

This is improved 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 30th 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 30th day of September, 2009.

Dorothy E. Welch
Notary Public

My Commission Expires: 6-20-11

DOROTHY E. WELCH
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY