STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE,
WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 157,000

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 15 DAY OF Oct. 20 09

Deputy Register 10/15/09

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $157,000.00.

Affiant

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

Notary Public

My Commission Expires:_____

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:
Lavern K. Fross
Iva L. Fross
9182 Fox Run Drive
Brentwood, TN 37027

SEND TAX BILLS TO:
NEW OWNER

MAP-PARCEL:
180040A11600CO

WHEREAS, H & B Builders, LLC by Deed of Trust (the "Deed of Trust") dated February 6, 2007 of record as Instrument No. 20070207-0016323 Register's Office for Davidson County, Tennessee conveyed to C. Richard Bobo, 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 Cumberland Bank; and

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

WHEREAS, the undersigned was appointed Substitute Trustee by the owner and holder of the Note by an Instrument of Record as Instrument No. 200906240058727 Register's Office for Davidson County, Tennessee; and

BILL GARRETT, Davidson County
Trans:T20090070384 DEEDTRS
Recvd: 10/15/09 15:33 3 pgs
Fees:18.00 Taxes:580.90
20091015-0095697

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 10:00 AM on September 16, 2009, and Lavern K. Fross and wife Iva L. Fross (herein "Grantees") being the highest and best bidder thereof, became the purchaser of said property for the sum of **One Hundred Fifty Seven Thousand and 00/100 Dollars ($157,000.00);** 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. 37 on the Plan of Highland Creek, Section Two, a Planned Unit Development, as shown on the Plat of record in Instrument No. 20030424-0055118 and corrected in Instrument No. 20050310-0026513 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 H & B Builders, LLC by deed of record in Instrument No. 20060502-0050547 Register's Office for Davidson County, Tennessee. The property was further conveyed by to C. Richard Bobo, Trustee by Deed of trust of record at Instrument No. 20070207-0016323 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 Instrument No. 200906240058727 Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Davidson County Taxes for the year 2008, a lien past due and payable.

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

Easement for ingress/egress of record in Book 5266, page 40 said Register's Office.

Storm Water Detention Easements of record in Book 11338,page 738, Book 10316, page 569, Book 10419,page 470, Book 10419, page 504, Book 10419, page 516 and Book 10419, page 732 Register's Office for Davidson County, Tennessee.

Restrictions of record in Book 11568, page 311 and Instrument No. 20000413-0037474 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 No.20030424-0055118 as corrected in Instrument No. 20050310-0026513 Register's Office for Davidson County, Tennessee.

All other restrictions, easements and agreements of record

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 21 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 21 day of September, 2009.

Notary Public

My Commission Expires: 10-28-12

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