THIS INSTRUMENT PREPARED BY:
Baker, Donelson, Bearman Caldwell & Berkowitz, PC
211 Commerce Street, Suite 1000
Nashville, TN 37201
Attn: K. David Waddell

BILL GARRETT, Davidson County
Trans:T20090072289 DEEDTRS
Recvd: 10/23/09 12:55 3 pgs
Fees:18.00 Taxes:404.97
20091023-0098176

WHEN RECORDED RETURN TO:
Baker, Donelson, Bearman Caldwell & Berkowitz, PC
211 Commerce Street, Suite 1000
Nashville, TN 37201
Attn: K. David Waddell

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on March 11, 2005, by H & B Builders, LLC, to James M. McGrew, Jr. and Judith L. Hanson, Trustee, of record under Instrument No. 20050314-0027479 and amended by Instrument No. 20090107-0001736 in Register's Office for Davidson County, Tennessee (the "Deed of Trust") conveying to them as trustee certain property (the "Property") hereinafter fully set forth and described, for the benefit of First Tennessee Bank, National Association, and

WHEREAS, the Original Trustee has been replaced by K. David Waddell as Substitute Trustee, as recorded under Instrument No. 20090917-0087024 in said Register's Office, who is empowered to serve with all the title, powers, and duties of the Original Trustee named in said Deeds of Trust described above; and

WHEREAS, First Tennessee Bank, National Association, First Tennessee Bank, National Association (the "Creditors"), are the true and lawful owners and holders of the note aforesaid, secured by the Deeds of Trust aforesaid; and

WHEREAS, Default having been made under the terms of the said Deed of Trust, the Creditors of said indebtedness and obligation having requested the undersigned to advertise and sell the Property conveyed thereby according to the terms of said Deed of Trust; and

WHEREAS, in accordance with said request, the Property was advertised for sale in The Tennessean, a newspaper published in Nashville, Tennessee, for at least twenty-one (21) days, such advertisements appearing on October 2, October 9 and October 16, 2009, and giving the time, terms, place of sale, and description of the Property; and

WHEREAS, at the time of the sale, being on **Friday, October 23, 2009**, commencing at 10:30 o'clock a.m. at the main door of the Register of Deeds, 501 Broadway, Sommet Center, Nashville, Davidson County Tennessee, the Property was offered for sale at public outcry to the highest and best bidder for cash, at which sale said Property was struck off and sold to First Tennessee Bank, National Association at and for the sum of One Hundred and Nine Thousand Four Hundred Fifty Dollars 00/100 ($109,450.00), that being the highest and best bid offered;

NOW, THEREFORE, the undersigned in consideration of the premises and the payment of said bid, which amount has been applied toward the payment of said indebtedness, hereby bargains, sells, conveys, and confirms unto said First Tennessee Bank, National Association and/or Assigns, the following real estate situated and located in Davidson County, Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot Numbers **82** on the Final Plat of Windhaven Shores, Section Four of record in Instrument No. 20041222-0152517 in the Register's Office of Davidson County, Tennessee.

Being the same property conveyed from Windhaven Shores, Inc. to H & B Builders, LLC by Warranty Deed of record under Instrument No. 20050314-0027478 in said Register's Office.

Lot Number **82** being conveyed from H & B Builders, LLC to Grand Developers, LLC by Quit Claim Deed of record under Instrument No. 20070627-0076540 in said Register's Office.

Lot Number **82** being conveyed from Grand Developers, LLC to H & B Builders, LLC by Quit Claim Deed of record under Instrument No. 20090602-0050733 in said Register's Office.

Property address: 3405 Whitesail Court, Nashville, TN 37013

TO HAVE AND TO HOLD the Property, together with the hereditaments and appurtenances of and to the same belonging or in anywise appertaining, unto the said First Tennessee Bank, National Association, together with all rights and benefits of the covenants and warranties made in said Deed of Trust insofar as he can or ought as Substitute Trustee, but not further or otherwise.

Title to the Property is conveyed subject to all liens, easements, covenants, conditions, encumbrances, and restrictions which are prior to the lien of said Deed of Trust, including, without limitation, any unpaid ad valorem taxes or assessments.

IN WITNESS WHEREOF, the said Substitute Trustee has executed this instrument effective as of the 23rd day of October, 2009.

K. David Waddell
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 23rd day of October, 2009 before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared K. David Waddell, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office, the day and year above written.

Notary Public

CATHERINE G. COLLINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires: My Commission Expires MAY 6, 2013

I, or we, hereby swear or affirm that, to the best of Affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $109,450.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this 23rd day of October, 2009.

Notary Public

CATHERINE C. COLLINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
My Commission Expires MAY 6, 2013

PROPERTY ADDRESS: 3405 Whitesail Court, Nashville, TN 37013
OWNER AND MAIL TAX NOTICE TO: First Tennessee Bank, National Association
103 Continental Place, Suite 300
Brentwood, TN 37027
Tax Parcel ID: 15-16A-128.00 CO