BILL GARRETT, Davidson County
Trans:T20090077194 DEEDTRS
Recvd: 11/12/09 14:35 2 pgs
Fees:13.00 Taxes:112.63
20091112-0104473

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 30,440
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 12th DAY OF NOV 20 09
Deputy Register

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on August 26, 2004, Benjamin Brown, Jr., ("Debtors") executed to Stanley M. Porter, Sr., T. Michael Logan, W. David Jones and Tommy R. Lynch, Trustees, a certain deed of trust conveying to them as Trustees, certain property hereinafter fully set forth and described, which deed of trust is found of record under Instrument No. 20040921-0113286, in the Register's Office of Davidson County, Tennessee (the "Deed of Trust"); and

WHEREAS, by instrument of record under Instrument No. 20090320-0025457 in said Register's Office the Original Trustee was replaced by E. Franklin Childress, Jr., Blair B. Evans and K. David Waddell, as Substitute Trustees, any one of whom is empowered to serve with all the title, powers, and duties of the Original Trustee named in said Deed of Trust described above; and

WHEREAS, default having been made in the payment of the debts and the performance of the obligations secured by said Deed of Trust, **CitiMortgage, Inc., successor by reason of merger with Citifinancial Mortgage Company, Inc. successor in interest to Citicorp Trust Bank,** ("**CitiMortgage**"), the owner thereof, requested the undersigned to advertise and sell the security according to the terms thereof; and

WHEREAS, in accordance with said request, the said real estate described in said Deed of Trust was advertised for sale in **THE TENNESSEAN**, a newspaper published in the City of Nashville, Davidson County, Tennessee, the first insertion appearing on September 25, 2009 and subsequent insertions appearing on October 2, 2009 and October 9, 2009, giving the time, terms, place of sale, and description of the real estate; and

WHEREAS, at ten thirty o'clock, (10:30 a.m.), on **Tuesday, October 20, 2009 by announcement and posted notice, the sale was adjourned to** ten thirty o'clock, (10:30 a.m.), **Tuesday, October 27, 2009**, being the time and at the main door of the Register of Deeds, 501 Broadway, Somme Center, Nashville, Davidson County, Tennessee, being the place mentioned in said advertisement, the undersigned offered said real estate for sale in accordance with all the terms and requirements in said Deed of Trust and advertisement of sale made in connection therewith, at which time said real estate was offered for sale at public outcry to the highest and best bidder for cash and was struck off and sold to **James Roberts, 201 Thompson Lane, Suite 200, Nashville, Tennessee 37211,** at and for the sum of **$30,440.00** which is the highest and best bid in connection therewith;

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 **James Roberts, 201 Thompson Lane, Suite 200, Nashville, Tennessee 37211,** and/or its Assigns, the following real estate situated and located in Davidson County, Tennessee, to-wit:

A certain tract of parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Land in Davidson County, Tennessee being Lot No. 75 on the Plan of Claymill Station, Phase 3, as of record in Book 6900, Page 648, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description thereof.

Subject to Declaration of Covenants, conditions, and restrictions contained in Instrument of record in Book 7546, Page 658, said Register's Office.

Being the same property conveyed to Benjamin Brown, Jr., unmarried, by Warranty Deed from Houston Ezell Corporation recorded October 6, 1992 in Deed Book 8749, Page 719, in the Register's Office of Davidson County, Tennessee.

The conveyance of the aforesaid property is subject to unpaid property taxes, assessments, subdivision restrictions, building lines, and easements of record in the Davidson County Register's Office.

IN WITNESS WHEREOF, K. David Waddell as Substitute Trustee has hereunto set his hand this the 27th day of October, 2009.

K. DAVID WADDELL
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE
COUNTY OF Davidson

On this 27th 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 to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed as Substitute Trustee.

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

CATHERINE COLLINS NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY

NOTARY PUBLIC

My commission expires:
My Commission Expires MAY 6, 2013

STATE OF TENNESSEE
COUNTY OF _____

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 $30,440.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
AFFIANT

Subscribed and sworn to before me on this ___th day of _____, 2009.

_____
NOTARY PUBLIC

My Commission Expires:

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PROPERTY ADDRESS:	**205 Mill Station Court** **Nashville, TN 37207**
OWNER AND MAIL TAX NOTICE TO:	**James Robert** **201 Thompson Lane, Suite 200** **Nashville, Tennessee 37211**
PREPARED BY AND RETURN TO:	Baker, Donelson, Bearman, Caldwell & Berkowitz, PC 165 Madison Avenue, Suite 2000 Memphis, TN 38103
TAX ID#:	05908022200