This Instrument Prepared By:
Marshall L. Hix, Esquire
HIX & GRAY, PLC
1230 Regions Center
315 Deaderick Street
Nashville, Tennessee 37238

BILL GARRETT, Davidson County
Trans:T20090087727 DEEDTRS
Recvd: 12/30/09 15:51 4 pgs
Fees:23.00 Taxes:888.00
20091230-0118678

Name of New Owner:	Send Tax Bills To:	Map and Parcel Nos.:
Heritage Bank 2185 Madison Street Clarksville, TN 37043	SAME	Map No. 180.04-0A Parcel No. 012.00-CO

SUCCESSOR TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions and payments provided for in a Deed of Trust dated May 9, 2008, executed by River T. Kubik ("Grantor"), of record as Instrument No. 20080619-0063417, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), wherein Grantor conveyed to R. Keith Bennett, Trustee, the hereinafter described real property (the "Property") to secure a Promissory Note, *et-cetera* (the "Note"), payable to Heritage Bank, as described in the Deed of Trust; and

WHEREAS, Heritage Bank, the owner and holder of the indebtedness secured by the Deed of Trust, replaced R. Keith Bennett, Trustee, and appointed Marshall L. Hix and Frank H. Reeves, Successor Trustees, under the Deed of Trust by Appointment of Successor Trustees of record as Instrument No. 20091022-0097836, Register's Office for Davidson County, Tennessee, with authority for either of them to act alone with the powers given the Trustee in the Deed of Trust; and

WHEREAS, Grantor has defaulted under the terms of the Note secured by the Deed of Trust and Heritage Bank, the owner and holder of the Note, has demanded that the Property be advertised and sold with the cash proceeds (or credit upon the indebtedness secured if Heritage Bank is the successful purchaser) applied to the outstanding balance due under the Note and the cost of foreclosure in accordance with the terms and provisions of the Note and Deed of Trust; and

WHEREAS, Marshall L. Hix, Successor Trustee, caused the Property to be advertised in accordance with the provisions of the Deed of Trust, advertising that the Property would be sold at 11:30 o'clock a.m., prevailing time on Tuesday, December 10, 2009, at the south front door of the Davidson County Courthouse, Nashville, Davidson County, Tennessee, to be knocked off and sold to the highest, best and last bidder for cash (or credit upon the indebtedness secured if Heritage Bank is the successful purchaser), and free from the equity of redemption, homestead, dower, and all other exemptions as provided in the Deed of Trust; but subject to any and all mortgages, liens, claims and unpaid taxes which may be a prior lien against said property, which sale was adjourned to December 30, 2009, at 11:30 a.m. by announcement as provided in the Foreclosure Sale Notice; and

WHEREAS, Marshall L. Hix, Successor Trustee, personally appeared at the south front door of the Davidson County Courthouse on Wednesday, December 30, 2009, at 11:30 o'clock a.m. and offered the Property for sale at public outcry and the highest, best and last bid received was the sum of Two Hundred Forty Thousand and 00/100 Dollars ($240,000.00) by Heritage Bank (hereinafter referred to as "Grantee"), and the Property was knocked off and sold to Grantee.

NOW, THEREFORE, in consideration of the premises and the sum of Two Hundred Forty Thousand and 00/100 Dollars ($240,000.00) cash in hand paid by Grantee or credit upon the indebtedness secured by the Deed of Trust, Marshall L. Hix, Successor Trustee, has this day

bargained and sold and, by the premises, does transfer and convey to Grantee, its successors and assigns, a certain tract or parcel of land situated partially in Davidson County, Tennessee, and described as follows:

> BEING LOT NO. 12, ON THE PLAN OF HIGHLAND CREEK, SECTION ONE, as shown by Plat Book 9700, Page Number(s) 959 & 960, Register's Office for Davidson County, Tennessee, to which reference is made for a complete description.
>
> The title to the real estate is vested in River Kubik by virtue of a deed of record in Instrument No. 200602080015641, Register's Office for Davidson County, Tennessee.
>
> This is improved property located at 501 Elmont Terrace, Nashville, Davidson County, Tennessee 37211.

To have and to hold the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns forever.

And the Successor Trustee covenants with Grantee that he is lawfully seized and possessed of the Property as Successor Trustee only and, by the terms of the Deed of Trust, has a good right to sell and convey the Property and that Property is unencumbered except for any and all prior mortgages, liens, claims, and any and all unpaid taxes that may be a lien against the Property.

The Successor Trustee further covenants and binds himself, his successors and assigns, to warrant and forever defend the title to the Property to Grantee, its successors and assigns, against the lawful claims of any persons claiming by or through him as Successor Trustee, but no further or otherwise; it being the intention of the Successor Trustee only to convey to Grantee no greater title in the Property than he received as Successor Trustee and that, as Successor Trustee, he has the right to sell and convey.

This sale is subject to all matters shown on any applicable recorded plat or plan; any unpaid taxes which exist as a lien against the Property; any restrictive covenants, easements or setback

lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior encumbrances that may exist against the Property. This sale is also subject to any matter that an accurate survey of the Property might disclose.

Witness my hand effective as of December 30, 2009.

Marshall L. Hix, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of this county, Marshall L. Hix, Successor Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 30th day of December, 2009.

NOTARY PUBLIC

KAY M. TENPENNY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 3, 2012

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $240,000.00.

AFFIANT

Subscribed and sworn before me on this 30th day of December, 2009.

NOTARY PUBLIC

KAY M. TENPENNY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 3, 2012