BILL GARRETT, Davidson County
Trans:T20100003190 DEEDTRS
Recvd: 01/15/10 15:07 4 pgs
Fees:23.00 Taxes:74.00
20100115-0004015

This Instrument Prepared by:

MIKE J. URQUHART
ATTORNEY AT LAW
20 ACADEMY PLACE
NASHVILLE, TN 37210
615-251-6968

SUBSTITUTE TRUSTEE'S DEED

ADDRESS NEW OWNER: NUMBER:	**SEND TAX BILLS TO:**	**MAP/PARCEL**
Estate of Jessie B. Cobb c/o Peggy Mathes, Administrator of the Estate of Jessie B. Cobb 20 Academy Place Nashville, TN 37210	SAME	03300029200

WHEREAS, Luther Smith, Jr., and wife Geral Smith, (the "GRANTORS"), by that certain Deed of Trust dated November 9, 2005, (the "Deed of Trust"), being of record in Instrument Number 20051114-036637, Register's Office for **DAVIDSON** County, Tennessee, conveyed to Homer R. Ayers, Trustee, the Property (as hereinafter defined) to secure the payment of a certain indebtedness described in the Deed Of Trust (the "Indebtedness"), as further evidenced by borrower's Promissory Note, and Security Agreement, of even date, to Fred J. Cobb and his wife Jessie B. Cobb (the "Lender"); and

WHEREAS, default was made in the payment of said indebtedness and the lawful holder and owner thereof declared the entire balance of said note immediately due and payable and made demand upon me, Mike J. Urquhart, Attorney at Law, Substitute Trustee, to exercise the power of sale contained in said Deed of Trust, and sell the property at public sale; and

WHEREAS, said sale of property was advertised in the Nashville Scene, a newspaper published in **DAVIDSON** County, Tennessee, for 3 consecutive weeks, all in accordance with the terms of the said Deed of Trust; and

WHEREAS, the sale was held on the 16th day of November, 2009, at 10:30 o'clock a.m., at the south main door of the Davidson County Courthouse in **DAVIDSON** County, **NASHVILLE**, Tennessee, the highest, last and best bid received at the sale was in the amount of $20,000.00, cash, said offer and bid having

been made by Peggy Mathes, Administrator of the Estate of Jessie B. Cobb.

NOW, THEREFORE, in consideration of said sum, I, Mike J. Urquhart, Attorney at Law, Substitute Trustee, have bargained and sold and by these presents do hereby transfer and convey to the said Peggy Mathes, Administrator of the Estate of Jessie B. Cobb, its successors, heirs, and assigns, that certain tract or parcel of land in **DAVIDSON** County, Tennessee, to-wit:

A certain tract or parcel of land in the Third Civil District of Davidson County, Tennessee, described according to a survey by Tommy E. Walker, Registered Land Surveyor, License No. 1465, dated July 21, 2003 as follows, to-wit:

BEGINNING at an iron pin at the northeast corner of the property conveyed to The House of Prayer (Map 33, Parcel 249, TAODCT); thence, South 82 deg. 09 min. 13 sec. East 315-72 feet to an iron pin; thence, South 08 deg. 30 min 28 sec. West 137.41 feet to a post in the line of the property of Sara C. Gregory (Map 42, Parcel 31, TAODCT); thence with said fence line and the property of Gregory and continuing with the property conveyed to Shelton Properties, LLC (Map 33, Parcel 215, TAODCT) North 83 deg. 49 min 45 sec. West 317.08 feet to an iron pin marking the southeasterly corner of property conveyed to The House of Prayer; thence with the easterly line of The House of Prayer property, North 08 deg. 56 min. 41 sec. East 146.70 feet to an iron pin marking the point of beginning and containing 1.031 acres, more or less

BEING the same property conveyed to Luther Smith, Jr., and wife, Geral Smith, by deed from Jessie B. Cobb joined by her husband, Fred J. Cobb, recorded in Instrument No. 20051114-0136636, Register's Office of Davidson County, Tennessee.

The foregoing description was prepared from a survey by Tommy E. Walker, Registered Land Surveyor, License No. 1465, dated July 21, 2003.

This is unimproved property on Dickerson Pike, Nashville, TN 37207, but such address is not part of the legal description of the Property. In the event of any discrepancy, the legal description herein shall control.

TO HAVE AND TO HOLD, said tract or parcel of land, with the appurtenances, estate and title, and interest thereto belonging to the said Estate of Jessie B. Cobb, its successors, heirs, and assigns forever.

This conveyance is made by me as Substitute Trustee of all my right, title and interest in the property as described in the within above-referenced Deed of Trust, without warranty of any kind, and no further or otherwise. Specifically, this conveyance is made subject to, but not limited to, the following:

1. Rights of parties in actual possession of all or any part of the property.
2. Liens for any and all unpaid city and/or county property taxes, assessments and/or special assessments.
3. Subject to Easement for Sanitary Sewers and/or Storm Drainage of record in Book 7885, page 733, said Register's Office;
4. Subject to any and all matters as they may appear on the unrecorded survey dated July 21, 2003, by Tommy E. Walker, Registered Land Surveyor, License No. 1465;

Said conveyance is also subject to any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be or become a lien against the Property and subject to any and all liens, defects, encumbrances, adverse claims and other matters which may take priority over the Deed of Trust upon which this foreclosure sale was had, including, but not limited to, prior deeds of trust, fixture filings, easements, restrictions, building lines, and recorded Plans and subject to any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which have not been waived by such governmental agency. Said sale is also subject to matters which an accurate survey of the Property might disclose.

The Property is conveyed **AS IS, WHERE IS**, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, **THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.**

WITNESS my hand this 13 of JAN, 2010.

MIKE J. URQUHART, ATTORNEY AT LAW
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE)
) SS
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for said State and County, personally appeared Mike J. Urquhart, Attorney at Law, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Substitute Trustee, and that he as such Substitute Trustee, executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal at Nashville, Tennessee this 12 day of Jan, 2010.

Notary Public
My Commission Expires:

JILL BAXTER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 9, 2012

STATE OF TENNESSEE)
) **ss:**
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $20,000.00

Affiant

Subscribed and sworn to before me this 13 of Jan, 2010.

Notary Public
My Commission Expires:

JILL BAXTER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 9, 2012