BILL GARRETT, Davidson County
Trans:T20100030840 DEEDTRS
Recvd: 05/21/10 14:58 3 pgs
Fees:18.00 Taxes:150.77
20100521-0039461

Name & Address of Owner for Tax Bills:
**Arthur C. Spain and wife, Dottie C. Spain**
**1108 Battlewood Street**
**Franklin, TN 37069**

Prepared by:
**David G. Mangum, Attorney**
**2303 Franklin Road**
**Nashville, TN 37204**

**MAP/PARCEL: 043-11-0 031.00**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under a Deed of Trust dated January 20, 2005, recorded in Instrument No.20050128-0010576, Register's Office, Davidson County, Tennessee, Velma Moss Disspayne, conveyed to F.B. Murphy, Jr., Trustee, the hereinafter described property to secure the therein mentioned indebtedness; and

WHEREAS, by instrument dated April 13, 2010, recorded in Instrument No.20100415-0028557, said Register's Office, the lawful owner and holder of the indebtedness described in and secured by the aforementioned Deed of Trust, nominated and appointed David G. Mangum as Substitute Trustee; and

WHEREAS, default having been made in the terms, conditions, and payments made and provided for in said Deed of Trust, and the lawful owner and holder of said indebtedness having declared the entire debt and interest due and payable; and

WHEREAS, the lawful owner and holder of said indebtedness having requested David G. Mangum, Substitute Trustee, to sell said property in satisfaction of the indebtedness; and

WHEREAS, I, David G. Mangum, Substitute Trustee, did give 22 days notice of the time, place and terms of the sale by an advertisement in three weekly publications in *The Davidson AM*, a newspaper published in Davidson County, Tennessee, said advertisement appearing in the editions of said newspaper under the dates of April 30, May 7 and May 14, 2010, stating that on Friday, May 21, 2010 at 12:00 Noon, in the hallway outside the entrance to the Davidson County Register of Deeds which is located inside the Bridgestone Arena, formerly known as the Sommet Center, 501 Broadway, Downtown Nashville, said property hereinafter described would be sold to the best and highest bidder for cash at public outcry, free from the equity of redemption, homestead, dower, and all other exemptions which are expressly waived in said Deed of Trust, but subject to any and all unpaid real estate taxes; and

WHEREAS, on said date at the time and place stated in said advertisement, and on said terms, I, David G. Mangum, Substitute Trustee, offered said property for sale at public outcry and sold said property to **Arthur C. Spain and wife, Dottie C. Spain**, their heirs and assigns, for $40,747.73, which amount was the highest, best, and last bid.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE SUM of the highest, best, and last bid, as set out above, cash in hand paid, the receipt of which is hereby acknowledged, I, **David G. Mangum, Substitute Trustee**, do hereby bargain and sell, and by these presents transfer and convey unto the said **Arthur C. Spain and wife, Dottie C. Spain** (hereinafter

referred to as Grantee), their heirs and assigns, the following described tract or parcel of land situated and lying in Davidson County, Tennessee, and more particularly described as follows:

A CERTAIN tract or parcel of land in the 11th Civil District of Davidson County, Tennessee, and being Lot No. 68 of an unrecorded plan of Tracts 1 and 13 of Anderson Estates, described according to a survey of said unrecorded plan made by Anderson McGee Surveyors, August 5, 1945 as follows: Beginning at a point in the easterly margin of McArthur Drive, being the common corner of Lots Nos. 67 and 68 of said unrecorded plan; thence southerly along the easterly margin of McArthur Drive 65 feet to the corner of Lots Nos. 68 and 60; thence easterly with the dividing line between said two lots and parallel with the southerly margin of Roosevelt Avenue 136 feet to the common corner of Lots Nos. 32, 33, 68 and 69; thence northerly with the dividing line between Lots Nos. 63 and 68, and parallel with McArthur Drive, 63 feet to the common corner of Lots Nos. 33, 34, 67, and 68 of said unrecorded plan; thence westerly with the dividing line between Lots Nos. 67, and 68 and parallel with Roosevelt Drive, 136 feet to the easterly margin of McArthur Drive, the point of beginning.

DEED REFERENCE:
BEING the same property conveyed to Velma Moss Disspayne by Quitclaim Deed from Donna Moss Hoover of record in Instrument No. 20050124-0008578; see "Self-Serving" Affidavit of Heirship of record in Instrument No. 20050124-0008577, Register's Office for Davidson County, Tennessee. Velma Moss Disspayne and Donna Moss Hoover being the only heirs of H.L. Moss, now deceased, with no record of probate.

ALSO BEING the same property conveyed to H.L. Moss by deed from J. Andrew Broadway and wife, Grace Broadway of record in Book 3529, page 365, Register's Office for Davidson County, Tennessee.

MAP/PARCEL: 043-11-0 031.00
PROPERTY ADDRESS: 221 McArthur Drive, Madison, TN 37116 as shown on the tax maps of the Assessor of Property for Davidson County, TN.

This description was copied from the Deed of Trust of record in Instrument No.20050128-0010576, as well as from the previous deed of record in said Register's Office.

This sale is subject to any and all unpaid real estate taxes; restrictive covenants, easements and setback lines; any and all redemption rights, including rights of redemption of any governmental agency, State or Federal; and any and all other prior liens or encumbrances against said real property. Said sale is further subject to matters that an accurate survey of the property might disclose.

TO HAVE AND TO HOLD said property with the appurtenances, estate, title, and interest thereto belonging to said Grantee, its successors and assigns forever, but subject to said real estate taxes and aforementioned Deed of Trust.

And I do further transfer and assign unto the said Grantee all the rights and benefits of the covenants and warranties in said Deed of Trust in as full and ample manner as under it, I can or should do, but I convey and assign as Trustee and not any further or otherwise.

WITNESS my hand on this the 21st day of May, 2010.

**David G. Mangum, Substitute Trustee**

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **David G. Mangum**, Substitute Trustee, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this the 21st day of May, 2010.

Melissa A. Nesbitt
Notary Public

My Commission Expires: 11-21-12

MELISSA A. NESBITT STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $40,747.73.

Affiant

Subscribed and sworn before me, this 21st day of May, 2010.

Melissa A. Nesbitt
Notary Public

My Commission Expires: 11-21-12

MELISSA A. NESBITT STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY

File #67914