BILL GARRETT, Davidson County
Trans:T20100032058 DEEDTRS
Recvd: 05/27/10 14:03 3 pgs
Fees:18.00 Taxes:103.60
20100527-0041043

Name & Address of Owner for Tax Bills:
Dean Kirby
c/o Investors Service Co.
1108 Battlewood Street
Franklin, TN 37069

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

MAP/PARCEL: 052-02-0 121.00

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under a Deed of Trust dated March 4, 2008, recorded in Instrument No.20080306-0022450, Register's Office, DAVIDSON County, Tennessee, **Robert P. Hoover and wife, Donna M. Hoover,** conveyed to F.B. Murphy, Jr., Trustee, the hereinafter described property to secure the therein mentioned indebtedness; and

WHEREAS, by instrument recorded in Instrument No.20090731-0071563, 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 27 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 Wednesday, May 26, 2010 at 3:00 PM, in the hallway just outside the entrance to the Davidson County Register of Deeds Office located inside the Bridgestone Arena, formerly known as the Sommet Center, 501 Broadway, Downtown Nashville, Tennessee, 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 **Dean Kirby**, his heirs and assigns, for $28,000.00, 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 **Dean Kirby,** (hereinafter referred to as Grantee), his heirs and assigns, the following described tract or parcel of land situated and lying in Davidson County, Tennessee, and more particularly described as follows:

Being Lot No. 51, Block C, on the Revised Map of Rainbow Terrace Subdivision, as of record in Book 1130, page 85, Register's Office for said County, described as follows:

Beginning at a point in the northerly margin of Cheryl Avenue, at the corner of Lots 50 and 51; thence with the line between said lots, northerly 145 feet to a corner of Lot 10; thence with the line between Lots 10 and 51, westerly 35.2 feet, and continuing westerly to the corner of Lot 53; thence with the line between Lots 51 and 53, south-westerly 23.6 feet to a corner of Lot 52; thence with the line between Lots 51 and 52, southerly 126 feet to the north margin of Cheryl Avenue; thence with the margin of the same, easterly 50 feet to the point of beginning.

DEED REFERENCE:
BEING the same property conveyed to Robert P. Hoover and wife, Donna M. Hoover by deed from Robert G. Wolfe and wife, Janice C. Wolfe, of record in Book 4654, page 780, Register's Office for Davidson County, Tennessee.

This description was taken from the Deed of Trust of record in Instrument No.20080306-0022450, said Register's Office.

MAP/PARCEL: 052-02-0 121.00
PROPERTY ADDRESS: 611 Cheryl Avenue, Madison, TN 37115 as shown on the tax maps of the Assessor of Property for Davidson County, TN.

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 27th 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 27th day of May, 2010.

Kay E. Farmer
Notary Public

KAY E. FARMER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 7-24-2010

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $28,000.00.

Affiant

Subscribed and sworn before me, this 27th day of May, 2010.

Kay E. Farmer
Notary Public

KAY E. FARMER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 7-24-2010

#67796 (611 Cheryl Ave., Madison, TN)