NAME AND ADDRESS OF NEW OWNER:
Pinnacle National Bank
114 West College Street
Murfreesboro, Tennessee 37130

SEND TAX NOTICES TO:
Owner

THIS INSTRUMENT PREPARED BY:
White & Polk, P.C.
Attorneys at Law
107 West College Street
Murfreesboro, Tennessee 37130

Map/Parcel 14900022600

SUCCESSOR TRUSTEE'S DEED

WHEREAS, default having been made in the payment of the indebtedness described in and secured by that certain Deed of Trust executed by Dial Properties, LLC to R. Dale Floyd, Trustee, of record in Instrument No. 20050601-0061753, and Modifications of Deed of Trust, recorded in Instrument No. 20070611-0069236 and Instrument No. 20070904-0105685, all of record in the Register's Office of Davidson County, Tennessee, embracing real estate hereinafter described; and Pinnacle National Bank (formerly Cavalry Banking), the holder of said indebtedness having declared the entire unpaid balance immediately due and payable and the same having not been paid, and the undersigned, George H. White, having been appointed as Successor Trustee by an instrument duly filed in Instrument No. 20100514-0037316, of said Register's Office; and

WHEREAS, the undersigned being directed so to do by the holder of said debt, advertised said property for sale for a period of twenty one (21) days beginning May 21, and continuing on May 28, and June 4, 2010, by publication duly and regularly made in the Davidson A.M. – The Tennessean in Nashville, Davidson County, Tennessee, and proceeded at the time and place and upon the terms setforth in said advertisement, that is on June 18, 2010 at 1:00 P.M. outside the door of the Davidson County Register of Deeds located at the Bridgestone Arena, 501 Broadway, Nashville, Tennessee, the undersigned being directed so to do by the holder of said debt offered the hereinafter described property for sale to the highest and best bidder for cash, and free from all homestead exemption and equitable and statutory redemption whereupon Pinnacle National Bank became the highest, best and last bidder thereon at the bid and sum of Five Hundred Thirty Five Thousand and 00/100 Dollars ($535,000.00) and thereupon was declared to be the purchaser of said property at said amount.

NOW, THEREFORE, in consideration of the premises and the sum of Five Hundred Thirty Five Thousand and 00/100 Dollars ($535,000.00), cash in hand paid which was applied on said debt and the expenses of said sale, the undersigned, **George H. White, Successor Trustee**, has bargained and sold and does hereby transfer and convey to **Pinnacle National Bank**, its successors

BILL GARRETT, Davidson County
Trans:T20100037205 DEEDTRS
Recvd: 06/18/10 13:13 8 pgs
Fees:43.00 Taxes:1979.50
20100618-0047657

and assigns forever, that certain parcel of real estate situated in Davidson County, Tennessee, to-wit:

Land lying in the Twenty Eighth Councilmanic District of Antioch, Davidson County, Tennessee, being described as follows,

Beginning at an iron pin (new), lying in the Northerly right of way of Una-Antioch Pike (60'), being the Southwesterly corner of the herein described tract; thence, along or near the Easterly lines of the James U. Rust and Mitchell Whitson property of record Instrument Number 20031112-165508 R.O.D.C, for the next two calls: thence, North 52°08'04" East, a distance of 16.59 feet to an iron pin (old); thence, North 24°01'20" East, a distance of 146.62 feet to an iron pin (old); thence, along or near the Northerly line of the James U. Rust and Mitchell Whitson property of record Instrument Number 20031112-165508 R.O.D.C, North 68°17'45" West, a distance of 37.17 feet to an iron pin (old); thence, along or near the Northerly line of the Roy G. Butler property of record in Deed Book 6522, page 41, R.O.D.C North 71°12'27" West, a distance of 38.00 feet to an iron pin (new); thence, along or near the Easterly line of the Roy G. Butler property of record in Deed Book 6522, page 41, R.O.D.C North 15°40'38" East, a distance of 107.50 feet to an iron pin (old); thence, along or near the Easterly line of Jose Manuel Marin and Jose M. Olvera property of record in Deed Book 4727, page 460, R.O.D.C, South 18°23'23" West, a distance of 87.34 feet to an iron pin (old); thence, along or near the Easterly line of Jimmy F. Smith, etux property of record in Deed Book 6509, page 424, R.O.D.C South 07°00'07" West, a distance of 432.05 feet to an iron pin (new); thence, along or near the Easterly line of Cynthia and Claude E. Edwards property of record in Deed Book 9766, page 235, R.O.D.C North 07°03'54" East, a distance of 146.00 feet to an 18" hackberry, thence, along or near the Easterly line of Claude E. Edwards, etux Deed Book 5346, page 622, R.O.D.C North 06°54'59" East, a distance of 710.36 feet to an iron pin (old); thence, along or near the westerly line of the Debra Heights Subdivision, Plat Book 3700, page 39, R.O.D.C North 06°45'10" East, a distance of 83.23 feet to an iron pin (old); thence, along or near the southerly lines of the Debra Heights Subdivision, Plat Book 3700, page 39, R.O.D.C for the next four calls: thence, North 76°42'19" East, a distance of 100.23 feet to an iron pin (old); thence, South 79°57'00" East, a distance of 407.59 feet to an iron pin (old); thence, South 56°48'30" East, a distance of 288.85 feet to an iron pin (new); thence, South 42°46'00" East, a distance of 71.15 feet to an iron pin (new); thence, along or near the westerly lines of the Debra Heights Subdivision, Plat Book 3700, page 39, R.O.D.C for the next six calls: thence, South 43°26'37" West, a distance of 93.90 feet to a concrete monument (old); thence, South 24°38'37" West, a distance of 138.00 feet to an iron pin (new); thence, South 01°30'27" East, a distance of 79.31 feet to a concrete monument (old); thence, South 48°09'37" West, a distance of 240.94 feet to a concrete monument (old); thence, South 33°39'18" East, a distance of 115.00 feet to a concrete monument (old); thence, South 33°39'18" East, a distance of 25.00 feet to an iron pin (new); thence, along or near the southerly line of the Debra Heights Subdivision, Plat Book 3700, page 39, R.O.D.C North 56°20'42" East, a distance of 43.00 feet to an iron pin (new); thence, along or near the westerly line of the Debra Heights Subdivision, Plat Book 3700, page 39 South 33°50'42" East, a distance of 168.27 feet to an iron pin (new); thence, along or near the northerly line of the Chadfield Subdivision, Section 1, Plat Book 7900, page 836, R.O.D.C South 68°06'38" West, a distance of 31.61 feet to an iron pin (old); thence, along or near the Westerly line of the Chadfield Subdivision, Section 1 Plat Book 7900, page 836, and R.O.D.C South 20°53'47" East, a distance of 165.00 feet to an iron pin (new); thence, along or near the southerly line of the Chadfield Subdivision, Section 1, Plat Book 7900 page 836, R.O.D.C, along a curve to the left having a radius of 534.32 feet and a central angle of 23°50'27" and being subtended by a chord which bears North 58°12'59" East 220.73 feet, an arc distance of 222.33 feet; to an iron pin (new); thence, along or near the westerly line of the Chadfield Subdivision, Section 1,

Plat Book 7900, page 836, South 45°50'01" East, a distance of 17.08 feet to an iron pin (new); thence, along or near the northerly line of Antioch First Baptist Church, Deed Book 4727, page 460, R.O.D.C, South 59°16'53" West, a distance of 922.90 feet to an iron pin (new); thence, along or near the westerly line of Antioch First Baptist Church, Deed Book 4727, page 460, R.O.D.C, South 15°11'35" West, a distance of 333.75 feet to an iron pin (new); thence, with the northerly right of way said Una-Antioch Pike right of way (60'), North 73°45'53" West, a distance of 22.83 feet, thence, with the northerly right of way said Una-Antioch Pike right of way (60'), along a curve to the left having a radius of 1939.27 feet and a central angle of 6°30'00", and being subtended a by chord which bears North 77°00'53" West 219.89 feet, an arc distance of 220.00 feet to an iron pin (new);thence, with the northerly right of way said Una-Antioch Pike right of way (60'), North 80°15'53" West, a distance of 34.16 feet, to the point of beginning, containing 1,073,662 square feet or 24.65 acres, more or less, according to a boundary survey dated may 16,2005, prepared by Crawford Land Surveyor's, P.C., 1929 21st Ave. South, Nashville, TN 37212, J. Alan Cummings, Tennessee RLS No. 2351.

INCLUDED in the above description, but EXCLUDED from this notice is Lot 8, Carrolton Station, Phase I, and Units 8, 9, 10, 11, 12, 13, and 14, Carrolton Station Townhomes, Phase I.

Being part of the property conveyed to Dial Properties, LLC by deed from Christian Education, Inc. appearing of record in Instrument No. 20050601-0061752, of the Register's Office of Davidson County, Tennessee.

This property is generally known as Carrolton Station, Phase I and Excess Land, Antioch, Tennessee 37013.

TO HAVE AND TO HOLD said real estate together with all of the appurtenances, estate and title thereunto belonging unto the said grantee, its successors and assigns, forever, together with the benefit of all of the covenants and warranties as contained in the aforesaid Deed of Trust; but the undersigned conveys as Successor Trustee only and is not bound personally upon any of the covenants or warranties.

The sale of the land is subject to the right of the Tennessee Department of Revenue to redeem the land as provided for in T.C.A. §67-1-1433(c)(1). Copies of the notice required by T.C.A. §67-1-1433(b)(1) given to and the reply from the State of Tennessee are attached as Exhibits hereto.

Said sale was made for the purpose of satisfying said indebtedness, and was subject to any and all unpaid taxes.

IN WITNESS, WHEREOF, this instrument is executed this the 18th day of June, 2010.

George H. White

George H. White, Successor Trustee

STATE OF TENNESSEE)
ss.
COUNTY OF RUTHERFORD)

On this the 18th day of June, 2010, before me personally appeared George H. White, Successor Trustee, to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS MY HAND and official seal at office in Murfreesboro, Tennessee, on the 18th day of June, 2010.

Mary M. Richardson
Notary Public

My commission expires: 3-20-11

MARY M. RICHARDSON
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is $535,000.00, which amount is equal to or greater then the amount which the property transferred would command at a fair and voluntary sale.

George H. White
Affiant

Sworn to and subscribed before me on this 18th day of June, 2010.

Mary M. Richardson
Notary Public

My commission expires: 3-20-11

MARY M. RICHARDSON
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

WHITE & POLK, P.C.

ATTORNEYS AT LAW
107 WEST COLLEGE STREET
MURFREESBORO, TENNESSEE 37130

GEORGE H. WHITE
MARK A. POLK

TELEPHONE: (615) 893-6592
FACSIMILE: (615) 893-9446

May 12, 2010

Via Certified Mail #7009 1410 0002 3212 4895

Tennessee Department of Revenue
Revenue Enforcement Division
Special Procedures Section
P. O. Box 190665
Nashville, Tennessee 37219-0665

RE: Dial Properties, LLC
Carrolton Station, Phase I
Antioch, Tennessee 37013
Entity ID: 62-1670656/000

Dear Sir:

Pinnacle National Bank is the owner and holder of a Note dated May 27, 2005, in the original principal amount of $2,100,000.00 which is secured by a Deed of Trust executed by Dial Properties, LLC of record in at Instrument No. 20050601-0061753, and Modifications of Deed of Trust, recorded at Instrument No. 20070611-0069236 and Instrument No. 20070904-0105685, all of record in the Register's Office of Davidson County, Tennessee, embracing real property situated in Davidson County, Tennessee and which is more completely described as follows, to-wit:

Land lying in the Twenty Eighth Councilmanic District of Antioch, Davidson County, Tennessee, being described as follows,

Beginning at an iron pin (new), lying in the Northerly right of way of Una-Antioch Pike (60'), being the Southwesterly corner of the herein described tract; thence, along or near the Easterly lines of the James U. Rust and Mitchell Whitson property of record Instrument Number 20031112-165508 R.O.D.C, for the next two calls: thence, North 52°08'04" East, a distance of 16.59 feet to an iron pin (old); thence, North 24°01'20" East, a distance of 146.62 feet to an iron pin (old); thence, along or near the Northerly line of the James U. Rust and Mitchell Whitson property of record Instrument Number 20031112-165508 R.O.D.C, North 68°17'45" West, a distance of 37.17 feet to an iron pin (old); thence, along or near the Northerly line of the Roy G. Butler property of record in Deed Book 6522, page 41, R.O.D.C North 71°12'27" West, a distance of 38.00 feet to an iron pin (new); thence, along or near the Easterly line of the Roy G. Butler property of record in Deed Book 6522, page 41, R.O.D.C North 15°40'38" East, a distance of 107.50 feet to an iron pin (old); thence, along or near the Easterly line of Jose Manuel Marin and Jose M. Olvera property of record in Deed Book 4727, page 460, R.O.D.C, South 18°23'23" West, a distance of 87.34 feet to an iron pin (old); thence, along or near the Easterly line of Jimmy F. Smith, etux property of record in Deed Book 6509, page 424,

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INCLUDED in the above description, but EXCLUDED from this notice is Lot 8, Carrolton Station, Phase I, and Units 8, 9, 10, 11, 12, 13, and 14, Carrolton Station Townhomes, Phase I.

This property is generally known as Carrolton Station, Phase I and Excess Land, Antioch, Tennessee 37013.

The outstanding principal balance plus accrued interest owed on the Note to Pinnacle National Bank is $1,940,159.55 as of June 18, 2010. In addition to this amount, certain expenses will be incurred at the time of foreclosure. These expenses are estimated charges and are for the following:

Publication cost	$ 1,500.00
Attorney's fees	$ 1,800.00
TOTAL DUE	$3,300.00

These estimated charges added to the principal balance and interest accruing to the date of sale total the approximate amount of $1,943,459.55 that will be due and owing at that time. The address of the party initiating the foreclosure proceeding is Pinnacle National Bank, 114 West College Street, Murfreesboro, Tennessee 37130. The attorney for the proceeding is George H. White, 107 West College Street, Murfreesboro, Tennessee 37130. I have, also, enclosed a copy of the aforesaid Deed of Trust for your records.

An examination of the public records in the Register's Office of Davidson County, Tennessee reveals a Notice of the following State Tax Lien:

Instrument No. 20100120-0004818 – Dial Properties, LLC
Entity ID 62-1670656/000

I am enclosing a copy of this lien for your records.

I am, also, enclosing a copy of the Notice of Trustee's Sale (non-judicial Trustee's foreclosure) which discloses that the Notice of Sale will appear in the Davidson A.M. on May 21, May 28, and June 4, 2010, with the sale date set for June 18, 2010, commencing at 1:00 p.m. at the outside the door of the Davidson County Register of Deeds located at the Bridgestone Arena, 501 Broadway, Nashville, Tennessee, and thereafter proceeding to sell at public outcry said property to the highest and best bidder for cash.

There is situated upon the property residence buildings and undeveloped land.

Once you have had a chance to process this letter, please send me the appropriate response in accordance with the provisions of T.C.A. §67-1-1433(b)(1).

Thank you for your cooperation.

Very truly yours,

George H. White

Enclosures
mr

MR-2010-10178

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

May 17, 2010

George H. White
White & Polk, P. C.
107 West College Street
Murfreesboro, TN 37130

Re: Foreclosure Sale of Property Owned by: **Dial Properties, LLC**
Entity Number: **001 621670656/000**

This is in reference to your letter dated May 12, 2010 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **June 18, 2010** is **$25,035.39**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Tessa Stromatt, Accounting Technician 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*