PICK-UP

**THIS INSTRUMENT PREPARED BY:**
Baker, Donelson, Bearman Caldwell & Berkowitz, PC
211 Commerce Street, Suite 800
Nashville, TN 37201
Attn: K. David Waddell

BILL GARRETT, Davidson County
Trans:T20100038656 DEEDTRS
Recvd: 06/24/10 15:59 3 pgs
Fees:18.00 Taxes:3145.00
20100624-0049552

**WHEN RECORDED RETURN TO:**
Baker, Donelson, Bearman Caldwell & Berkowitz, PC
211 Commerce Street, Suite 800
Nashville, TN 37201
Attn: K. David Waddell

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on December 28, 2006, Global Construction, Inc., executed a Tennessee Deed of Trust to James M. McGrew, Jr. and Judith L. Hanson, Trustees, as the same appears of record in the Office of the Register of Davidson County, Tennessee, under Instrument No. 20070105-0002520 and amended by Instrument No. 20090108-0002147, (the "Deed of Trust ) hereinafter fully set forth and described, for the benefit of First Tennessee Bank, National Association, and

WHEREAS, the Original Trustee has been replaced by K. David Waddell as Substitute Trustee, as recorded under Instrument No. 20090917-0087026 in said Register's Office, who is empowered to serve with all the title, powers, and duties of the Original Trustee named in said Deeds of Trust described above; and

WHEREAS, First Tennessee Bank, National Association, First Tennessee Bank, National Association (the "Creditors"), are the true and lawful owners and holders of the note aforesaid, secured by the Deeds of Trust aforesaid; and

WHEREAS, Default having been made under the terms of the said Deed of Trust, the Creditors of said indebtedness and obligation having requested the undersigned to advertise and sell the Property conveyed thereby according to the terms of said Deed of Trust; and

WHEREAS, in accordance with said request, the Property was advertised for sale in The Tennessean, a newspaper published in Nashville, Tennessee, for at least twenty-one (21) days, such advertisements appearing on April 23, April 30 and May 7, 2010, and giving the time, terms, place of sale, and description of the Property; and

WHEREAS, at the time of the sale, being on **Friday, May 21, 2010**, commencing at 10:30 o'clock a.m. at the front door of the Courthouse, One Public Square, Nashville, Davidson County Tennessee 37201, the Property was offered for sale at public outcry to the highest and best bidder for cash, at which sale said Property was struck off and sold to First Tennessee Bank, National Association at and for the sum of Eight Hundred and Fifty Thousand Dollars 00/100 ($850,00.00), that being the highest and best bid offered;

NOW, THEREFORE, the undersigned in consideration of the premises and the payment of said bid, which amount has been applied toward the payment of said indebtedness, hereby bargains, sells, conveys, and confirms unto said First Tennessee Bank, National Association and/or Assigns, the following real estate situated and located in Davidson County, Tennessee, to-wit:

Land in the 2nd Civil District of Davidson County, Tennessee and described according to a survey by MEC, Inc., as follows:

Beginning at an iron rod in the southerly margin of Mt. View Road, said point being the northeast corner of the Tytle Bryant property as recorded in Book 4548, Page 943, Register's Office of Davidson County, Tennessee;

Thence, along said margin of Mt. View Road, North 60° 57' 04" East a distance of 752.88 feet to the westerly margin of Hamilton Church Road;

Thence, with said margin and along a curve to the right an arc distance of 158.59 feet, said curve having a radius of 1485.95 feet, a chord direction of South 60° 50' 22" East and a chord length of 158.51 feet;

Thence, along a curve to the right an arc distance of 162.54 feet, said curve having a radius of 2647.64 feet, a chord direction of South 56° 01' 24" East and a chord length of 162.51 feet;

Thence, South 54° 15' 53" East a distance of 400.76 feet to a new iron rod;

Thence, along the westerly line of Patricia Ann Moss as recorded in Book 8963 Page 924 Register's Office of Davidson County, Tennessee;

Thence, South 16° 03' 16" West a distance of 1422.02 feet to an old iron rod;

Thence, along the northerly line of Dennis Britt as recorded in Book 4221, Page 392, Register's Office of Davidson County, Tennessee;

Thence, North 81° 37' 37" West a distance of 180.79 feet to an old iron rod;

Thence, along Britts westerly line, South 08° 32' 38" West a distance of 2720.85 feet to a new iron rod in the northerly margin of Pin Hook Road;

Thence, along said margin, North 81°53'18" West a distance of 474.49 feet to a new iron rod; thence, along the easterly lines of M. B. Kelly as recorded in Book 4846, Page 713 and Stephen D. Piper as recorded in Book 6977, Page 432, Register's Office of Davidson County, Tennessee;

Thence, North 08° 32' 41" East a distance of 1067.87 feet to an old iron rod;

Thence, along the lines of Dennis Britt as recorded in Book 9812, Page 837, Register's Office of Davidson County, Tennessee; Thence, North 08° 06' 15" East a distance of 638.24 feet to an old iron rod;

Thence, North 80° 45' 42" West a distance of 1211.42 feet to an old iron rod;

Thence, along the easterly line of Faith Hope Love Fellowship Church as recorded in Book 11570, Page 965, Register's Office of Davidson County, Tennessee;

Thence, North 07° 26' 26" East a distance of 868.60 feet to a new iron rod;

Thence, along the easterly line of Albert M. Bender as recorded in Book 5326, Page 815, Register's Office of Davidson County, Tennessee;

Thence, North 06° 41' 24" East a distance of 153.11 feet to an old iron rod; thence, along the easterly line of Charles E. Craig, Sr. as recorded in Book 9253, Page 783, Register's Office of Davidson County, Tennessee;

Thence North 05° 45' 40" East a distance of 431.27 feet to an old iron rod; thence, along the southerly line of the aforementioned Tytle Bryant, South 82° 43' 49" East, a distance of 866.92 feet to an old iron rod;

Thence, along Bryant's easterly line, North 07° 27' 59" East a distance of 792.09 feet to the point of Beginning and containing 107.79 acres or 4,695,202 square feet, more or less.

Being **the same** property conveyed to Windhaven Shores, Inc. by Warranty Deed of record under Instrument No. 20021230-0161686 in the Register's Office of Davidson County, Tennessee.

Being a **part of** the same property conveyed from Windhaven Shores, Inc. to Global Development, Inc. by Quit Claim Deed of record under Instrument No. 20030414-0049117 on the Register's Office of Davidson County, Tennessee.

Being **the same** property conveyed to Global Construction, Inc. from Global Development, Inc. now known as Global Construction, Inc., by Quit Claim Deed recorded on the 5th day of January, 2007 in Instrument No. 20070105-0002519, in the Register's Office of Davidson County, Tennessee.

**Less and Except:**

SECTION ONE, FAWN CROSSING (FORMERLY MOSS) "CLUSTER LOT SUBDIVISION", as shown on plat of record in Instrument No. 20070911-0108856 with Certificate of Correction recorded at Instrument No. 20070917-011148, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said platted property.

Property address: Fawn Crossing Subdivision, 0 Hamilton Church Road, Antioch, TN 37217 Parcel ID 16400019300 and 6052 Mt. View Road, Antioch TN 37217 Parcel ID 16400019600.

TO HAVE AND TO HOLD the Property, together with the hereditaments and appurtenances of and to the same belonging or in anywise appertaining, unto the said First Tennessee Bank, National Association, together with all rights and benefits of the covenants and warranties made in said Deed of Trust insofar as he can or ought as Substitute Trustee, but not further or otherwise.

Title to the Property is conveyed subject to all liens, easements, covenants, conditions, encumbrances, and restrictions which are prior to the lien of said Deed of Trust, including, without limitation, any unpaid ad valorem taxes or assessments.

IN WITNESS WHEREOF, the said Substitute Trustee has executed this instrument effective as of the 21st day of May, 2010.

K. David Waddell
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 21st day of May, 2009 before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared K. David Waddell, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office, the day and year above written.

Notary Public

CATHERINE C. COLLINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
My Commission Expires MAY 6, 2013

I, or we, hereby swear or affirm that, to the best of Affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $850,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this 21st day of May, 2010.

Notary Public

CATHERINE C. COLLINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
My Commission Expires MAY 6, 2013

PROPERTY ADDRESS: Fawn Crossing Subdivision, 0 Hamilton Church Road, Antioch, TN 37217 and 6052 Mt. View Road, Antioch TN 37217 Parcel ID.

OWNER AND MAIL TAX NOTICE TO: First Tennessee Bank, National Association
103 Continental Place, Suite 300
Brentwood, TN 37027

Tax Parcel ID: 16400019300 and 16400019600