This instrument prepared by:
J. PHILLIP JONES
ATTORNEY AT LAW
SUITE C-205, NASHVILLE HOUSE
ONE VANTAGE WAY
NASHVILLE, TN 37228
PARCEL ID: 133-03-0 115.00
3310 MIMOSA DRIVE
NASHVILLE, TENNESSEE 37211

NO MORTGAGE
New Owner - Send Tax Bills:
TENNESSEE HOUSING DEVELOPMENT AGENCY
404 JAMES ROBERTSON PARKWAY
SUITE 1114
NASHVILLE, TENNESSEE 37243-0900

BILL GARRETT, Davidson County
Trans:T20100068894 DEEDTRS
Recvd: 11/01/10 08:40 2 pgs
Fees:12.00 Taxes:0.00
20101101-0086988

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on **JANUARY 31, 2006, TONYA ESQUIBEL,** was named Trustee in a Deed of Trust of even date executed by **CARLOS GUTIERREZ (A/K/A CARLOS ENRIQUE GUTIERREZ), A MARRIED MAN JOINED BY HIS WIFE, PEGGY S. GUTIERREZ (A/K/A PEGGY SUE GUTIERREZ),** conveying to her as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of **$104,472.00,** principal and interest at **5.30000%** per annum on the unpaid balance, said Deed of Trust being recorded in **INSTRUMENT 20060206-0014447,** in the Register's Office for **DAVIDSON** County, Tennessee; and

IF applicable the notice required by T.C.A. 35-5-117 having been met and whereas, **J. PHILLIP JONES** was appointed Substitute Trustee under said Deed of Trust by instrument of record in **INSTRUMENT NO. 20090731-0071744** in the Register's Office for **DAVIDSON** County, Tennessee; I, **J. PHILLIP JONES,** Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3) successive publications, namely: **SEPTEMBER 24, 2010/OCTOBER 1, 2010/OCTOBER 8, 2010** in **DAVIDSON A.M.,** a newspaper of general circulation in **DAVIDSON** County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on **THURSDAY, OCTOBER 28, 2010 AT 3:00 P.M., ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK) OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE,** I, **J. PHILLIP JONES,** individually or by and through his agent, as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time **TENNESSEE HOUSING DEVELOPMENT AGENCY, 404 JAMES ROBERTSON PARKWAY, SUITE 1114, NASHVILLE, TENNESSEE 37243-0900,** submitted the highest and best bid in the amount of $111,309.67.

NOW THEREFORE, in consideration of the premises, I, **J. PHILLIP JONES,** Substitute Trustee, do hereby sell, transfer and convey to **TENNESSEE HOUSING DEVELOPMENT AGENCY,** its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NUMBER 9 ON THE PLAN OF GLENCOE ACRES SUBDIVISION, SECTION 1, OF RECORD IN BOOK 1835, PAGES 137 AND 138, REGISTER'S OFFICE FOR SAID COUNTY TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

SUBJECT TO ANY AND ALL EXISTING EASEMENTS AND RESTRICTIONS AS SHOWN OF RECORD.

BEING THE SAME PROPERTY CONVEYED TO CARLOS GUTIERREZ, MARRIED, BY WARRANTY DEED DATED JANUARY 31, 2006, OF RECORD IN INSTRUMENT NO. 20060206-0014446, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

SEE ALSO UCC FINANCING STATEMENT OF RECORD IN INSTRUMENT NO. 20061016-0128113IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

THIS IS IMPROVED PROPERTY KNOWN AS 3310 MIMOSA DRIVE, NASHVILLE, TENNESSEE 37211.

I, **J. PHILLIP JONES**, Substitute Trustee, convey to **TENNESSEE HOUSING DEVELOPMENT AGENCY,** all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at Nashville, Tennessee, on **OCTOBER 28, 2010.**

J. PHILLIP JONES
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **J. PHILLIP JONES**, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at Nashville, Tennessee on **OCTOBER 28, 2010.**

Notary Public

My Commission Expires: 1/21/2013

Elizabeth P. Guye
STATE OF TENNESSEE NOTARY PUBLIC
Rutherford County

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $ 111,309.67
TENNESSEE HOUSING DEVELOPMENT AGENCY IS A TAX EXEMPT AGENCY

Affiant

Subscribed and sworn to before me, this **28TH day of OCTOBER, 2010.**

Notary Public

My Commission Expires: 1/21/2013

Elizabeth P. Guye
STATE OF TENNESSEE NOTARY PUBLIC
Rutherford County

RETURN TO:
J. PHILLIP JONES
SUITE C-205, NASHVILLE HOUSE
ONE VANTAGE WAY
NASHVILLE, TN 37228