BILL GARRETT, Davidson County
Trans:T20110020555 DEEDTRS
Recvd: 04/07/11 15:30 4 pgs
Fees:23.00 Taxes:74.00
20110407-0027050

SEND TAX BILLS TO AND
NEW PROPERTY OWNER IS:
RICKIE L. WALDEN, SUCCESSOR TRUSTEE
454 Bay Point Drive
Gallatin, TN 37066

THIS INSTRUMENT PREPARED BY
KELLY & SMITH
LAW OFFICES
GALLATIN, TENNESSEE 37066

MAP AND PARCEL 051-05-0003.00

TRUSTEE'S DEED

THIS INSTRUMENT made and entered into on this the 4th day of April, 2011 by and between PHILIP KELLY, SUBSTITUTE TRUSTEE, PARTY OF THE FIRST PART, and RICKIE L. WALDEN, SUCCESSOR TRUSTEE OF THE FRANK L. WALDEN REVOCABLE LIVING TRUST U/T/A/ DATED FEBRUARY 22, 2002, PARTY OF THE SECOND PART;

WITNESSETH:

WHEREAS, THOMAS E. STEWART, TRUSTEE WITH FULL POWER TO BARGAIN, SELL, CONVEY, MORTGAGE, LEASE OR OTHERWISE ENCUMBER WITHOUT JOINDER BY ANY BENEFICIARY, by a Deed of Trust dated the 22nd day of March, 2007, and of record as Instrument No. 20070402-0038660, in the Register's Office of Davidson County, Tennessee, conveyed to Dennis C. Allis, Trustee, an interest in and to the hereinafter described property to secure the payment of a Promissory Note described in said Deed of Trust, which Note is presently held and owned by FRANK L. WALDEN, TRUSTEE OF THE FRANK L. WALDEN REVOCABLE LIVING TRUST U/T/A/ DATED FEBRUARY 22, 2002; and

WHEREAS, by Appointment of Substitute Trustee dated February 3, 2011 and of record as Instrument No. 20110228-0016169, Register's Office of Davidson County, Tennessee, PHILLIP KELLY was appointed as Substitute Trustee; and

WHEREAS, default was made in the payment of said note, holder thereof having directed the PARTY OF THE FIRST PART to sell said property as provided by said trust deed; the PARTY OF THE FIRST PART, did, by publication in the Tennessean/Davidson County AM advertise said property to be sold on this date, and pursuant to said publication, on this date, during legal hours, the PARTY OF THE FIRST PART offered said property for sale on the

premises, after receiving competitive bids, sold said property to RICKIE L. WALDEN, SUCCESSOR TRUSTEE OF THE FRANK L. WALDEN REVOCABLE LIVING TRUST U/T/A/ DATED FEBRUARY 22, 2002, his successors and assigns, at the sum of TWENTY THOUSAND AND NO/100 ($20,000.00) DOLLARS, this being the highest, last and best bid.

NOW, THEREFORE, THIS DEED WITNESSETH: THAT FOR AND IN CONSIDERATION of the sum of TWENTY THOUSAND AND NO/100 ($20,000.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the PARTY OF THE FIRST PART has this day bargained and sold and does hereby sell, transfer and convey unto RICKIE L. WALDEN, SUCCESSOR TRUSTEE OF THE FRANK L. WALDEN REVOCABLE LIVING TRUST U/T/A/ DATED FEBRUARY 22, 2002, his heirs and assigns, the following described tract or parcel of land situated in the Davidson County, Tennessee, as follows:

> Being Lot No. 99 on the Map of DUE WEST VALLEY ACRES, not of record, in the 11th Civil District of Davidson County, Tennessee, and being described according to a copy of a survey thereof made by H. R. Swann, Jr., Surveyor dated April 20, 1947, as follows:
>
> BEGINNING at a point in the southwesterly margin of Due West Avenue at the corner of Lots 98 and 99; thence with the line between said lots southwesterly 400 feet to a point; thence southeasterly 100 feet to a point at the corner of Lots Nos. 99 and 100; thence with the line between said lots, northeasterly 400 feet to the margin of Due West Avenue; thence with the margin of the same, northwesterly 100 feet to the beginning.
>
> Being the same property conveyed to Thomas E. Stewart, Trustee with full power to bargain, sell, convey, mortgage, lease or otherwise encumber without joinder of any beneficiary by deed from Frank L. Walden, Trustee of the Frank L. Walden Revocable Living Trust U/T/A dated February 22, 2002 of record as Instrument No. 20070402-0038659, and Deed of Correction of record as Instrument No. 20070808-0094963 Register's Office of Davidson County, Tennessee. By Quitclaim Deed dated October 10, 2007 and of record as Instrument No. 20071012-0121759 Thomas E. Stewart, Trustee quitclaimed said property to Thomas E. Stewart and Arlin L. McRae.

The address of the above described property is 731 Due West Avenue, Madison, Tennessee 37115.

TO HAVE AND TO HOLD the above described lot or parcel of land, together with all the improvements thereon and the appurtenances thereunto belonging, unto the said GRANTEE, his successors and assigns, in fee simple forever, and in bar of all right or equity or redemption.

AND PARTY OF THE FIRST PART as TRUSTEE, does hereby transfer, assign, and set over unto the PARTY OF THE SECOND PART all of the covenants and warranties

contained in the aforesaid deed of trust and does hereby warrant the title as fully as he is authorized to do as TRUSTEE, but no further or otherwise. Subject to any and all unpaid taxes that may be a lien against the property and any and all other liens or other rights which take priority over the Deed of Trust upon which this foreclosure sale is had.

WITNESS my hand this the 4th day of April, 2011.

PHILIP KELLY, SUBSTITUTE TRUSTEE

STATE OF TENNESSEE

COUNTY OF SUMNER

PERSONALLY appeared before me, the undersigned, a Notary Public in and for said County and State, the within named PHILIP KELLY, SUBSTITUTE TRUSTEE, the bargainor, 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 on this the 4th day of April, 2011.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 6-19-12

VICKI GRANTHAM
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY
My Commission Expires 6-19-2012

OATH

STATE OF TENNESSEE

COUNTY OF SUMNER

I, or We, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $20,000.00, 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 the 4th day of April, 2011.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 6-19-12

