Prepared by:
David J. Waynick, Attorney
211 Donelson Pike, Suite 2
PO Box 148058
Nashville, TN 37214

Address of New Owner:
Esther Costa Swink
4410 Hunt Place
Nashville, TN 37215

Map and parcel: 83-15-40

Recording Info:

Davidson County DEEDTRS
Recvd: 05/04/11 15:59 2 pgs
Fees:13.00 Taxes:331.15
20110504-0034410

TRUSTEE'S DEED

This Deed is executed to be effective as of the 4th day of May, 2011, from David J. Waynick, as grantor, in his capacity as Trustee, to **Esther Costa Swink,** as Grantee.

WITNESSETH:

WHEREAS, February 26, 2004, Maurice Ward Sr. and LeTonia Ward, husband and wife, executed a Deed of Trust (the "Deed of Trust") to David J. Waynick, Trustee, to secure the prompt payment of certain indebtedness payable to Roger W. Costa and Esther C. Swink, Co-Trustees of the Costa Family Revocable Trust ("Beneficiary"), which indebtedness is evidenced in part by a promissory note (the "Note") as is more particularly described in the Deed of Trust, which is of record in the Register's Office of Davidson County, Tennessee Instrument Number 20040310-0027662, to which reference is hereby made; and

WHEREAS, default was made in the payment of the Note and the performance of the covenants made in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, by virtue of the power and authority vested in me as Trustee under the Deed of Trust, at the request of Beneficiary, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment in satisfaction of the indebtedness, including principal, interest, attorney's fees and costs of sale, I, David J. Waynick, as Trustee did on April 8, 2011, commencing at 11:00 o'clock a.m. pursuant to advertisement published in the *Tennessean*, in the editions of March 11, 2011, March 18, 2011, and March 25, 2011, offer for sale and sold at public outcry to the highest and best bidder for cash, in bar of all equities of redemption, statutory redemption, dower and homestead, the hereinafter described real estate, at which such sale Esther Costa Swink became the highest and best bidder at and for the sum of eighty-nine thousand, five hundred and 00/100 dollars ($89,500.00); and

WHEREAS, the proceeds of such sale have been applied in payment of the advertising charge of $373.00, attorney's fees, and all other costs of sale, and the balance applied as a payment or credit on the Note thereby secured;

NOW, THEREFORE, I, David J. Waynick, Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby sell, transfer and convey unto Esther Costa Swink as grantee the following described real estate having an address of 2809 Fortland Drive, in Davidson County, Tennessee:

Land in Davidson County, Tennessee, being Lot No. 68 on the Plan of Fortland Park, Section 2, of

record in Book 2900, page 40, Register's Office for said County.

Said Lot No. 68 fronts 80 feet on the southerly side of Fortland Drive and runs back between parallel lines 155 feet to a dead line in the rear on which it measures 80 feet.

Being the same property conveyed to Maurice Ward Sr. and LeTonia Ward, husband and wife, by deed of record in Deed Instrument #20040310-0027661, of record in the Register's Office of Davidson County, Tennessee.

The Real Property or its address is commonly known as 2809 Fortland Drive, Nashville, Tennessee 37206.

The sale was advertised and made as trustee only, without covenants or warranties of title, express or implied, subject to any governmental zoning or subdivision ordinances and further subject to any unpaid taxes or assessments owing on the property and this conveyance is so made. However, grantor, as Trustee, but not otherwise, hereby assigns and sets over to grantee all of the covenants and warranties contained in the Deed of Trust and in any prior deeds referred to in said Deed of Trust.

IN WITNESS WHEREOF, I, David J. Waynick, Trustee, have executed this instrument to be effective this 4th day of May, 2011.

David J. Waynick,
Trustee

State of Tennessee)
County of Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for said State and County duly commissioned and qualified, David J. Waynick, as Trustee, with whom I am personally acquainted, and who acknowledged that he, as such Trustee, executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 4th day of May, 2011.

Notary Public
My Commission Expires:

TONI M WAYNICK
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILSON
MY COMMISSION EXPIRES: JUNE 24, 2012

State of Tennessee)
County of Davidson)

The actual value or consideration, whichever is greater, for this transfer is $89,500.00.

Affiant

Subscribed and sworn to before me on this 4th day of May, 2011.

NotaryPublic
My Commission Expires

TONI M WAYNICK
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILSON
MY COMMISSION EXPIRES: JUNE 24, 2012

CERTIFICATION
I, Thomas Luck, do hereby make oath that I am the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Thomas Luck
State of Tennessee;County of Davidson
On this 5th day of May, 2011, personally appeared before me, Toni M. Waynick, a notary public for this county and state, Thomas Luck, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Toni M. Waynick
My Commission Expires:

TONI M WAYNICK
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILSON
MY COMMISSION EXPIRES: