BILL GARRETT, Davidson County
Trans:T20110038731 DEEDTRS
Recvd: 06/29/11 08:23 4 pgs
Fees:23.00 Taxes:148.00
20110629-0049468

This instrument prepared by:
Prochaska Thompson Quinn
& Ferraro, P.C. (EHB)
401 Church Street, Suite 2600
Nashville, TN 37219

Address New Owner:	**Send Tax Bills To:**	**Map-Parcel Numbers:**
United Southern Bank PO Box 951 Hopkinsville, KY 42241	SAME	131-06-OH-034.00

AMENDED AND RESTATED
SUCCESSOR TRUSTEE'S DEED

This instrument amends and restates a Successor Trustee's Deed of record at Instrument Number 20110606-0042997 which was made and entered into as of May 6, 2011, by and between Joseph R. Prochaska, Successor Trustee (hereinafter referred to as "Successor Trustee"), and United Southern Bank.

WHEREAS by Deed of Trust dated March 26, 2008, of record at Instrument Number 20080403-0033435, Register's Office for Davidson County, Tennessee (the "Deed of Trust 1"), John B. Cundiff conveyed to Jill B. Nolan, as Trustee, the hereinafter described real estate, to secure payment to United Southern Bank of a promissory note dated Marcy 26, 2008(the "Note 1"); and

WHEREAS by Deed of Trust dated September 5, 2008, of record at Instrument Number 20080919-0095993, Register's Office for Davidson County, Tennessee (the "Deed of Trust 2"), John B. Cundiff conveyed to Phillip R. Sykes, as Trustee, the hereinafter described real estate, to secure payment to the United Southern Bank of a promissory note dated September 5, 2008 (the "Note 2"); (*hereinafter, Deed of Trust 1 and Deed of Trust 2 shall be referred to collectively as the "Deed of Trust" and Note 1 and Note 2 shall be referred to collectively as "Note")* and

WHEREAS, the lawful holder of the Note, United Southern Bank appointed Joseph R. Prochaska to serve as Successor Trustee in accordance with the terms of said Deed of Trust by instruments of record at Instrument Nos. 20110121-0006045 and 20110121-0006044, Register's Office for Davidson County, Tennessee; and

WHEREAS, the indebtedness secured by said Deed of Trust became overdue and unpaid, and other conditions of default occurred, by reason of which the lawful owner and holder of the indebtedness secured by said Deed of Trust declared the Deed of Trust and Note to be in default and notice of such default was properly given; and

WHEREAS, the lawful holder of the Note secured by the Deed of Trust directed the Successor Trustee to sell the property held as security under the Deed of Trust as provided therein, and the Successor Trustee caused notice to be published in *The City Paper* that the property would be sold at 10:00 a.m. on April 4, 2011, at the main door of the Courthouse in Nashville, Davidson County, Tennessee, such advertisement appearing in said paper on March 14, March 21 and March 28, 2011, and sent a copy of such notice to Debtor and following such notice the default was not cured; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices, and thereafter by announcement at the sale date, caused the property and all improvements, fixtures, and structures thereon to be offered for sale, and after opening the floor for competitive bids, sold said Property to United Southern Bank at the price of $340,000.00 this being the highest, last and best bid;

NOW, THEREFORE, I, Joseph R. Prochaska, Successor Trustee as aforesaid, in consideration of the premises and the sum of $340,000.00, by these presents do transfer to

United Southern Bank, its successors and assigns, all of my right, title and interest, as Successor Trustee, in and to the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, To Wit:

Being Lot No. 35, on The Plan of Village of Cherry Glen, as shown by Plat Book 9700, Page Number(s) 451, Register's Office for Davidson County, Tennessee, to which reference is made for a complete description.

Being the same property conveyed to Ramon H. Oliver Successor Trustee under an Irrevocable Living Trust Agreement with Ben L. Cundiff dated October 18, 1984, by deed from Sarah Jean McKay, a one half undivided interest and James R. Patner and wife, Barbara L. Patner, a one half undivided interest, of record as Instrument No. 20030122-0008833, Dated December 30, 2002, said Register's Office. Being further conveyed to John B. Cundiff, by Quitclaim Deed from Ramon H. Holiver successor trustee under an Irrevocable Living Trust Agreement with Ben L. Cundiff dated Octeober 18, 1984, of record as Instrument No. 20070308-0028976, dated March 7, 2007, said Register's Office.

Property address: 429 Cumberland Place
Nashville , TN

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereof, in bar of the equity of redemption, statutory right of redemption, homestead, and exemption rights, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale is subject to such liens, defects, encumbrances, adverse claims or other matters which take priority over the Deed of Trust under which said foreclosure was held or which affect the land herein conveyed.

WITNESS the signature of the Successor Trustee on this the day and date first above written.

JOSEPH R. PROCHASKA
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Jessica Rigsby, a Notary Public of said County and State, JOSEPH R. PROCHASKA, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Successor Trustee, and that he as such Successor Trustee being authorized to do so executed the within instrument for the purposes contained therein by signing his name as Successor Trustee.

Witness my hand at office, this 27th day of June, 2011.

Jessica Rigsby
Notary Public
My commission expires: 5-5-2015

JESSICA RIGSBY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 5, 2015

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $340,000.00. Transfer tax was paid on $300,000.00 of this value upon recording of Instrument No. 20110606-0042997 in the Register's Office of Davidson County, Tennessee. The taxable consideration or value of this document is therefore $40,000.00.

Affiant

Sworn to and Subscribed
before me this the 27th
day of June, 2011.

Jessica Rigsby
Notary Public
My commission expires: 5-5-2015

JESSICA RIGSBY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 5, 2015