BILL GARRETT, Davidson County
Trans:T20110039043 DEEDTRS
Recvd: 06/29/11 15:55 6 pgs
Fees:33.00 Taxes:4440.00
20110629-0049888

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC
150 Third Avenue South, Suite 2800
Nashville, Tennessee 37201

SUBSTITUTE TRUSTEE'S DEED

Address of New Owner	Send Tax Bills To	Map & Parcel Nos.
Joseph M. Swanson as Trustee of Charitable Remainder Unitrust with Joseph M. Swanson dated 12/14/95 1188 Park Avenue Murfreesboro, TN 37129	Same	Map 82-15, Parcel 211

WHEREAS, by that certain Deed of Trust dated September 27, 2004, of record at Instrument No. 20040929-0117100, Register's Office for Davidson County, Tennessee, as modified or amended by (i) that certain Modification Agreement dated June 30, 2006, of record at Instrument No. 20060713-0084615, Register's Office for Davidson County, Tennessee, (ii) that certain Modification Agreement dated December 17, 2007, of record at Instrument No. 20071226-0147185, Register's Office for Davidson County, Tennessee, and (iii) that certain Substitution of Trustee dated January 19, 2010, of record at Instrument No. 20100122-0005790, Register's Office for Davidson County (as modified or amended, the "Deed of Trust"), Larry Schumaker (a/k/a Lawrence Henry Schumaker and Larry H. Schumaker) and Larry West (a/k/a Larry Kenneth West), conveyed the real property described on attached Exhibit A, which is incorporated herein by reference (the "Property"), to Robert P. Gritton, Trustee, to secure payment of the indebtedness described in the Deed of Trust (the "Indebtedness"); and

WHEREAS, by Appointment of Substitute Trustee of record as Instrument No. 20110525-0040181, Register's Office for Davidson County, Tennessee, Jason S. Lewallen was appointed Substitute Trustee under the Deed of Trust (the "Substitute Trustee"); and

WHEREAS, default occurred under the terms and conditions of the Deed of Trust and in the payment of the Indebtedness secured thereby; and

WHEREAS, at the request of Joseph M. Swanson as Trustee of Charitable Remainder Unitrust with Joseph M. Swanson dated 12/14/95, the lawful owner and holder of the Indebtedness, the Substitute Trustee gave notice of the time and place of a sale of the Property, all in accordance with the Deed of Trust and the laws of the State of Tennessee, by publishing a notice of sale in *The Davidson A.M.*, a newspaper published in Davidson County, Tennessee, and *The Daily News Journal*, a newspaper published in Rutherford County, Tennessee, said notices being first published on June 3, 2011, and thereafter published on June 10, 2011 and June 17, 2011, with said notice advertising the sale of the Property to be held on June 28, 2011 at 11:00 A.M.; and

WHEREAS, on June 28, 2011, at 11:00 A.M., at the front door of the Rutherford County Courthouse in Murfreesboro, Rutherford County, Tennessee, being the time and place fixed in said notice, the Property was offered for sale and sold in the manner provided in said notice and in the Deed of Trust, and the Substitute Trustee received a bid of $1,200,000.00 from Joseph M. Swanson as Trustee of Charitable Remainder Unitrust with Joseph M. Swanson dated 12/14/95, which bid was the last and highest bidder, and payment has been made by credit upon the Indebtedness, the receipt of which is hereby acknowledged.

NOW, THEREFORE, in consideration of the foregoing and of the sum bid and paid as provided herein, I, Jason S. Lewallen, Substitute Trustee, have bargained and sold, and do hereby bargain, sell, transfer and convey unto Joseph M. Swanson as Trustee of Charitable Remainder Unitrust with Joseph M. Swanson dated 12/14/95, and its successors and assigns (the "Grantee") the Property;

TO HAVE AND TO HOLD the Property, together with the estate, title and interest of Substitute Trustee therein and all hereditaments, easements, appurtenances and improvements thereto belonging, to the Grantee, its successors and assigns, in fee simple forever, free from the equity of redemption, the statutory right of redemption, homestead, elective share, and all other exemptions of the grantor of the Deed of Trust of every kind, all of which were expressly waived therein, and subject only to liens, easements, encumbrances, liens for property and other taxes, rights of redemption of taxing entities and other matters that are prior in right to the lien and security title of the Deed of Trust. Without limiting the foregoing, the Property is or may be subject to those matters more particularly described on Exhibit B, which is incorporated herein by reference.

This is improved property known as 209 S. 5th Street, Nashville TN 37206.

I, Jason S. Lewallen, Substitute Trustee, believe the title hereby conveyed to be good and do hereby transfer, assign and set over unto Grantee all of the covenants and warranties contained in the Deed of Trust; and, to the extent that I am able to do so as Substitute Trustee, and subject only to the matters herein expressly reserved, I hereby warrant the title to the Property against the lawful claims of all persons claiming by, through or under me as such Substitute Trustee, under the provisions of the above described Deed of Trust, but not further or otherwise.

WITNESS my hand as Substitute Trustee on this 28th day of June, 2011.

Jason S. Lewallen, Substitute Trustee

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public having authority within the State and County aforesaid, Jason S. Lewallen, Substitute Trustee, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 28th day of June, 2011.

Notary Public

My Commission Expires:

11-7-18

LAURA LINCOLN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property conveyed (whichever is greater) is $1,200,000.00.

Affiant

Sworn to and subscribed before me this 28th day of June, 2011.

Notary Public

My Commission Expires:

11-7-18

LAURA LINCOLN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

EXHIBIT A

Property 1:

Being the north 60 feet of Lots Nos. 1, 2, 3 and the west 40 feet of the north 60 feet of Lot No. 4 on the Plan of the Zollicoffer lots in East Nashville, formerly Edgefield, as of record in Book 19, page 162, Register's Office for said County.

Said parts of said lots Nos. 1, 2, 3 and 4 fronts 60 feet on the east side of Fifth Street, and run back between parallel lines along the south margin of an alley 190 feet.

Being the same property conveyed to Larry Schumaker and Larry West, both unmarried, by Deed from Anna Mathis Doyle of record in Book 4689, Page 443, dated February 15, 1973, Register's Office for Davidson County, Tennessee.

Property 2:

Land in Davidson County, Tennessee, being parts of Lots Nos. 1, 2, 3 and 4 on the Plan of Zollicoffer's Addition to Edgefield, now East Nashville, as of record in Book 19, page 162, Register's Office for Davidson County, Tennessee, more particularly described as follows:

BEGINNING on the easterly margin of South Fifth Street, formerly Tulip Street, at a point 70 feet north of the northerly margin of Fatherland Street; thence at a right angle eastwardly 155 feet to a point; thence at a right angle 20 feet to a point; thence at a right angle eastwardly 45 feet to a point on the line between Lots Nos. 4 and 5; thence with said line northwardly 80 feet to a point on the southerly margin of a 5-foot alley; thence with said alley westward 10 feet to a point; thence at a right angle southwardly 60 feet to a point; thence at a right angle westwardly 190 feet to the easterly margin of South Fifth Street; thence with said Street, southwardly 40 feet to the beginning point.

Being the same property conveyed to Lawrence Henry Schumaker and Larry Kenneth West by Deed from Hazel Jones Ellis of record in Book 5049, Page 176, dated April 23, 1975, Register's Office for Davidson County, Tennessee.

Property 3:

TRACT I: Land in Davidson County, Tennessee, being the easterly 45 feet of the southerly 90 feet of Lot No. 4 on the plan of Felix K. Zollicoffer's Addition to Edgefield, now East Nashville, as of record in Book 19, page 162, Register's Office for said County.

Said part of Lot No. 4 fronts 45 feet on the northerly side of Fatherland Street and runs back between parallel lines 90 feet to a dead line, also an easement 10 feet wide across the easterly 10 feet of the northerly 80 feet of said lot No. 4.

TRACT II: Land in Davidson County, Tennessee, being the southerly 70 feet of Lots Nos. 1, 2, and 3, and the southerly 70 feet of the westerly 5 feet of Lot No. 4 on the Plan of Felix K. Zollicoffer's addition to Edgefield, now East Nashville, as of record in Book 19, page 162, Register's Office for said County.

Said part of Lots Nos. 1, 2, 3, and 4 fronts 70 feet on the easterly side of South Fifth Street and runs back between parallel lines, with the northerly margin of Fatherland Street, 155 feet to a dead line.

Being the same property conveyed to Larry H. Schumaker and Larry West by Deed from R. Sam Winn and wife, Evelyn Louise Winn of record in Book 4845, Page 592, dated August 19, 1974, Register's Office for Davidson County, Tennessee.

Property 4:
Land in Davidson County, Tennessee, being Lot No. 5 and the easterly 1 foot 6 inches of Lot No. 6 on the Plan of Felix Z. Zollicoffer's Addition to East Nashville, as of record in Book 19, page 162, Register's Office for Davidson County, Tennessee.

Said lot and said part of said lot adjoin and front together 34 feet and 6 inches on the northerly side of Fatherland Street and runs back between parallel lines, 170 feet to an alley.

Being the same property conveyed to Lawrence Henry Schumaker and Larry Kenneth West by Deed from William Tomlin, Jr. and wife, Ramona J. Tomlin of record in Book 4987, Page 366, dated January 10, 1976, Register's Office for Davidson County, Tennessee.

Property 5:
Land in Davidson County, Tennessee, being the easterly 31-1/2 feet of Lot No. 6 and the westerly 2 feet of Lot No. 7 on the Plan of Felix K. Zollicoffer's Addition to Edgefield, now east Nashville, as of record in Book 19, page 162, Register's Office for said County.

Said parts of Lots No. 6 and 7 front together 33-1/2 feet on the northerly side of Fatherland Street and run back between parallel lines 170 feet to an alley.

Being the same property conveyed to Larry West pursuant to Final Decree Confirming Sale from Raymond L. Barrett, Clerk & Master, of record in Book 6004, Page 119, dated March 23, 1978, Register's Office for Davidson County, Tennessee.

EXHIBIT B

1. Taxes for the year of 2011 a lien, not yet due and payable.

2. Electrical Permit issued by Metropolitan Government of Nashville and Davidson County, of record in Book 9667, page 930, in the Register's Office of Davidson County, Tennessee.

3. Application to Combine Parcels of record at Instrument No. 20050728-0088171, in the Register's Office for Davidson County, Tennessee.

4. Rights or claims of parties in possession not shown by the public records.

5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

6. Taxes or special assessments which are not shown as existing liens by the public records.

7. Any encroachment, encumbrance, violation, variation, or adverse circumstances affecting the title that would be disclosed by an accurate and complete land survey of the Property.

8. Easements or claims of easements not shown by the public records.