BILL GARRETT, Davidson County
Trans:T20120063591 DEEDTRS
Recvd: 08/24/12 14:16 4 pgs
Fees:23.00 Taxes:3441.00

20120824-0076473

970 Murfreesboro Road, Nashville, TN
This Instrument Prepared By:

David M. Smythe
SMYTHE & HUFF
Suite 333- Pilcher Building
144 Second Avenue, North
Nashville, TN 37201
(615) 255-4849

SUBSTITUTE TRUSTEE'S DEED

Address New Owner(s) As Follows:	Send Tax Bills To:	Map-Parcel Nos.
Gapa Properties, Inc. 280 Warfield Boulevard Clarksville, Tennessee 37043-1828	Same	Map No. 2DA 50850 Parcel No. 106-127

GAPA Properties, Inc

I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $930,001.00.

Affiant

Subscribed and sworn to before me, this 23 day of August, 2012.

Notary Public

My Commission Expires: July 7, 2014

MARQUICA L. BEASLEY
NOTARY PUBLIC
STATE OF TENNESSEE
DAVIDSON COUNTY
My Commission Expires 07-07-2014

WHEREAS, by Deed of Trust dated August 15, 2008 of record in Instrument No. 20080818-0084614, Register's office for Davidson County, Tennessee, Jai Yogeshwar Hospitality, Inc., conveyed to Amy L. Wood, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument of record in Instrument No. 20120619-0053772, said Register's office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust: and

WHEREAS, in pursuance of said request of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Deed of Trust and such ad appeared in The Tennessean / Davidson A.M. Edition on June 29, 2012, July 6, 2012 and July 13, 2012; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 23rd day of July, 2012, at 10:00 o'clock a.m. at the South front door of the Davidson County Courthouse, James Robertson Parkway, Nashville, Tennessee; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which sale, Gapa Properties, Inc., being the highest and best bidder, became the purchaser of said property at and for the sum of Nine Hundred Thirty Thousand and One and no/100ths Dollars ($930,001.00).

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute Trustee, does hereby grant, bargain, sell, transfer, and convey unto Gapa Properties, Inc., the following real estate:

> Being a tract of land known as Lot 2 on the Plan of Millwood Section 1 of record in Plat Book 4460, Page 84, R.O.D.C., TN and being located on the Northerly side of Murfreesboro Pike in the 15th Councilmanic District of Nashville, and Davidson County, TN and being more particularly described as follows:
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> Beginning at an iron pin located on the Northerly right of way margin of Murfreesboro Pike (112' row) said iron rod marks the Southwesterly corner of the Louis Martinez property of record in Deed Book 4413, Page 993 R.O.D.C., TN and the Northwesterly corner of the A.P., U.P. and H.P. Patel property of record in Instrument No. 200309300144257 R.O.D.C., TN; the hereon described tract;
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> Thence, following the Westerly boundary of said L. Martinez property, the Farokh Fani property of record in Instrument No. 20040108003499 R.O.D.C., TN and the Ess Prisa, L.L.C. property of record in Instrument No. 200507270087461 R.O.D.C., TN, North 30'53'35" East, 599.90' to an iron pin marking the Northwesterly corner of the Millwood Apartments, Sec II property of record in Deed Book 4953, Page 930 R.O.D.C., TN;
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> Thence, following the Westerly boundary of Millwood Apartments South 49'00'00" East, 165.15' to an iron pin located on the Northerly right of way margin of Millwood Drive (60'ROW);
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> Thence, following the Northerly right of way margin of Millwood Drive and a curve to the left having a radius of 300.02', a central angle of 27'19'07", an arc length of 143.05' and a chord of South 02'20'27" West, 141.70' to an iron pin;
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> Thence, South 16'00'00" East, 100.03' to a point marking the Northeasterly corner of the Rachel S. and Malcolm L. Barrett Sr. Trustees property of record in Deed Book 10103, Page 254 R.O.D.C., TN;
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> Thence, leaving Millwood Drive and following said Barrett property Northerly boundary South 41'04'30" West, 258.16' to an iron pin making an Easterly corner of the Car Wash Enterprises, Inc. property of record in Deed Book 9916, Page 322, R.O.D.C., TN;
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> Thence following the Easterly and Northerly boundary of said Car Wash Enterprise, Inc. property North 49'26'34" West, 105.00' to an iron pin;

Thence, South 40'54'10" West, 174.22' to an iron pin located on the Northerly right of way margin of Murfreesboro Pike;

Thence following said Pike margin North 48'56'32" West 135.98' to the point of beginning.

Tract contains 3.175 acres or 138,296.40 sq. ft., more or less, according to a survey prepared by Phillip E. Holmes, JR. RLS #1728 on July 29, 2008.

Being the same property conveyed to Aashish P. Patel, Umang P. Patel and Hiren P. Patel, as tenants in common by Warranty Deed from Nashville Hospitality Concepts, Inc. recorded on the 30th day of September, 2003 in Instrument No. 20030930-0144257, in the Register's Office of Davidson County, Tennessee and further being the same property conveyed to JAI Yogeshwar Hospitality, Inc. by QuitClaim Deed from Aashish P. Patel, Umang P. Patel and Hiren P. Patel recorded on the 18th day of August, 2008 in Instrument No. 20080818-0084613, in the Register's Office of Davidson County, Tennessee.

to have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in fee simple, forever and free from the right of redemption (statutory or otherwise), the equity of redemption, homestead, dower, elective share, any right or appraisement or valuation and all other exemptions of every kind in the property in the Maker of said Deed of Trust and all persons claiming through and under said Maker.

UNDERSIGNED, as Substitute Trustee, does hereby transfer, assign, and set over unto Gapa Properties, Inc., its successors and assigns, all of the covenants or warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise. Undersigned makes no warranties as to condition, location or set back of improvements on the property. The property is subject to all easements or restrictions of record in the Register's Office. This conveyance is subject to such priority tax liens and prior encumbrances as may appear of record, as well as all ad valorem property taxes which may be of record or applicable to said property.

The real property being foreclosed was not owner-occupied residential property for purposes of Tenn. Code Ann. §35-5-117(g) and no notice of the right to foreclosure as provided in said Code Section was required to be sent to the owner.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto set his hand and seal, this 23rd day of August, 2012.

David M. Smythe, Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Shelley L. Orr, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted, (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 23rd day of August, 2012.

Shelley L. Orr
Notary Public

My Commission Expires: March 3, 2015

