BILL GARRETT, Davidson County
Trans:T20130004506 DEEDTRS
Recvd: 01/16/13 13:40 3 pgs
Fees:18.00 Taxes:168.61
20130116-0005294

NEW OWNER:

Volunteer State Bank
P. O. Box 7897
Portland, TN 37148

THIS INSTRUMENT PREPARED BY:

Rochelle, McCulloch & Aulds, PLLC
109 North Castle Heights Avenue
Lebanon, TN 37087

SEND TAX BILL TO:

New Owner

Map & Parcel 05108003500

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Wilburn Ray Binkley, unmarried, executed a Construction Deed of Trust to Matthew D. Ricker, Trustee, dated June 14, 2004, of record in Instrument No. 20040616-0070956, as modified in Instrument No. 20041108-0134218, Register's Office for Davidson County, Tennessee, to secure an indebtedness evidenced by a Promissory Note payable to the order of Volunteer State Bank, hereinafter referred to as the "Deed of Trust"; and

WHEREAS, said conveyance was made for the purpose of securing the payment of certain sums as evidenced by a Promissory Note payable to the order of Volunteer State Bank and a default having occurred in the payment of same; and,

WHEREAS, pursuant to the above default, the original Trustee has tendered his resignation, and by Appointment of Substitute Trustee, dated December 13, 2012, of record in Instrument No. 20121218-0116360, Register's Office for Davidson County, Tennessee, Volunteer State Bank did convey all of the rights, powers and privileges of the original Trustee as named in the Deed of Trust unto the undersigned, Byron M. Gill, Substitute Trustee; and

WHEREAS, acting pursuant to the demand made by Volunteer State Bank, the owner and holder of the indebtedness, and acting pursuant to the power and authority vested in the Trustee under the Deed of Trust and the Appointment of Substitute Trustee, Byron M. Gill, Substitute Trustee, duly advertised and sold the property hereinabove described at the south door of the Metro/Davidson County Courthouse in Nashville, Davidson County, Tennessee, on January 15, 2013, at 10:00 a.m., local time, to the highest

and best bidder for cash, at which sale the same was bid in and sold to Volunteer State Bank at and for the sum of Forty-five Thousand Five Hundred Seventy Dollars and 00/100 Cents ($45,570.00), the receipt of which is hereby acknowledged.

NOW, THEREFORE, **BYRON M. GILL, Substitute Trustee**, has this day bargained and sold, and by these presents does hereby transfer and convey unto **VOLUNTEER STATE BANK**, its successors and assigns, forever, the following tract or parcel of land situated and lying in Davidson County, Tennessee, bounded and described as follows:

> **A certain tract or parcel of land in Davidson County, Tennessee, being more particularly described as follows, to-wit:**
>
> **Land in the 11th Civil District of Davidson County, Tennessee, being Lot No. 16 of Block "C" on the Revised Plan of Power and Roth's Madison Park Subdivision of record in Book 843, Page 7, Register's Office for said County, described as follows:**
>
> **Said Lot No. 16 fronts 60 feet on the northerly side of Emmett Avenue and runs back between lines, 194 feet, more or less, on the west line and 195 ½ feet on the east line to a dead line and measure 50 feet thereon.**
>
> **Being the same property conveyed to Wilburn Ray Binkley by Warranty Deed from Volunteer State Bank, dated June 14, 2004, of record in Instrument No. 20040616-0070955, Register's Office for Davidson County, Tennessee. Further reference is made to Construction Deed of Trust of record in Instrument No. 20040616-0070956, as modified in Instrument No. 20041108-0134218, and Appointment of Substitute Trustee of record in Instrument No. 20121218-0116360, Register's Office for Davidson County, Tennessee.**
>
> **The street address of this property is 219 Emmitt Avenue, Madison, TN 37115.**

TO HAVE AND TO HOLD said property, together with any and all appurtenances and improvements thereunto belonging, unto the said Volunteer State Bank, its successors and assigns, in fee simple, forever.

I further transfer, assign and convey unto Volunteer State Bank, its successors and assigns, all the rights and benefits of the covenants and warranties set forth in the aforesaid Deed of Trust executed to me as Substitute Trustee only, and not otherwise. It is the intention of the Substitute Trustee to convey no greater title to the subject real property than received as Substitute Trustee.

This conveyance is made subject to all matters shown on any applicable recorded Plat or Plan; any real property taxes which exist as a lien against said property, including without limitation city and county property taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior mortgages, liens or encumbrances that may exist against the property. This conveyance is also subject to any matter that an accurate survey of the premises might disclose and/or any tenant(s) rights in possession.

WITNESS MY SIGNATURE hereto this 15th day of January, 2013.

BYRON M. GILL
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF WILSON

Personally appeared before me, the undersigned, a Notary Public of the state and county aforesaid, the within named bargainor, **BYRON M. GILL, Substitute Trustee**, 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 this 15th day of January, 2013.

Notary Public

DENISE CARVER STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

My Commission Expires: 3-16-15

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The actual consideration or value, whichever is greater, for this transfer is **$45,570.00**.

Affiant

SWORN AND SUBSCRIBED to before me this 15th day of January, 2013.

Notary Public

DENISE CARVER STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

My Commission Expires: 3-16-15