NEW OWNER:
Wilson Bank & Trust
623 W. Main Street
Lebanon, TN 37087

THIS INSTRUMENT PREPARED BY:
Rochelle, McCulloch & Aulds, PLLC
109 North Castle Heights Avenue
Lebanon, TN 37087

SEND TAX BILL TO:
New Owner

06201001700

BILL GARRETT, Davidson County
Trans:T20130018762 DEEDTRS
Recvd: 03/07/13 11:34 5 pgs
Fees:28.00 Taxes:2775.00
20130307-0022844

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, BK Partners, LLC, executed a Multi-Advance Closed End Deed of Trust to Randall Clemons, Trustee, dated January 9, 2008, of record as Instrument No.: 20080114-0003831, Register's Office for Davidson County, Tennessee, to secure an indebtedness evidenced by a Promissory Note payable to the order of Wilson Bank & Trust, hereinafter referred to as the "Deed of Trust"; and

WHEREAS, said Deed of Trust was modified by a Modification to Deed of Trust and Security Agreement of record as Instrument No.: 20081104-0109744, Register's Office for Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, said Deed of Trust was further modified by a Modification of Deed of Trust and Security Agreement of record as Instrument No.: 20090626-0059743, Register's Office for Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, said Deed of Trust was further modified by Modification of Deed of Trust of record as Instrument No.: 20100722-0057457, Register's Office for Davidson County, Tennessee, to which reference is hereby made; and

WHEREAS, said Deed of Trust was further modified by Modification of Deed of Trust of record as Instrument No.: 20101130-0094988, Register's Office for Davidson County, Tennessee; 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 **Wilson Bank & Trust**; and,

WHEREAS, the original Trustee has tendered his resignation, and by Appointment of Substitute Trustee, dated October 10, 2012, of record as Instrument No.: 20121015-0094367, Register's Office for Davidson County, Tennessee, **Wilson Bank & Trust** did convey all of the rights, powers and privileges of the original Trustee as named in the Deed of Trust unto the undersigned, **Gregory S. Gill**, Substitute Trustee; and

WHEREAS, acting pursuant to the demand made by **Wilson Bank & Trust**, 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, Gregory S. Gill, Substitute Trustee, duly advertised and sold the property hereinabove described at 2471 Pennington Bend Road, Nashville, Davidson County, Tennessee, on February 13, 2013, at 11:00 a.m., local time, to the highest and best bidder for cash, at which sale the same was bid in and sold to **Wilson Bank & Trust,** at and for the sum of **Seven Hundred Fifty Thousand Dollars ($750,000.00),** the receipt of which is hereby acknowledged.

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

> **Land located in Davidson County, Tennessee, described according to a survey by Dale and Associates, Engineers, dated July 20, 2005, as follows:**
>
> **Beginning at the intersection of Briley Parkway and Pennington Bend Road, thence along the westerly margin of Pennington Bend Road South 04 degrees, 38 minutes, 12 seconds West 614.20 feet; South 04 degrees, 38 minutes, 11 seconds West, 6.10 feet to a concrete monument at an offset in the right of way of said road; thence along said offset South 85 degrees, 49 minutes, 30 seconds East**

24.55 feet; thence continuing along the westerly margin of Pennington Bend Road, following a curve to the left having a central angle of 11 degrees, 27 minutes, 52 seconds and a radius of 1225 feet, a distance of 244.71 feet to an iron rod; thence leaving Pennington Bend Road South 84 degrees, 35 minutes, 23 seconds West, 196.60 feet to the low water mark of Cumberland River; thence upstream along said low water line, North 13 degrees, 58 minutes, 48 seconds West, 842.05 feet to a point on the south right of way of Briley Parkway; thence with the south margin of same North 81 degrees 07 minutes, 13 seconds East, 428.80 feet to the point of beginning, containing 5.79 acres, more or less.

Being the same property conveyed to BK Partners, LLC, a Tennessee limited liability company, by Quitclaim Deed of BK Partners, dated July 1, 2010, of record as Instrument No.: 20100722-0057456, Register's Office for Davidson County, Tennessee. Reference is further made to Instrument No.: 20060314-0029441, Register's Office for Davidson County, Tennessee.

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

I further transfer, assign and convey unto **Wilson Bank & Trust**, 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.

This conveyance is made subject to any and all real property taxes and subject to any prior mortgages of record in the Register's Office for Davidson County, Tennessee.

WITNESS MY SIGNATURE hereto this 28th day of February, 2013.

GREGORY S. 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, **GREGORY S. 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 28th day of February, 2013.

Notary Public
My Comm. Expires: 04/05/2015

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The actual consideration or value, whichever is greater, for this transfer is **$750,000.00.**

Affiant

SWORN AND SUBSCRIBED to before me this 28th day of February, 2013.

Notary Public
My Comm. Expires: 04/05/2015

EXHIBIT

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STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

January 16, 2013

Gregory S. Gill
Rochelle, McCulloch & Aulds, PLLC
109 North Castle Heights Avenue
Lebanon, TN 37087

Re: Foreclosure Sale of Property Owned by: **BK Partners, LLC.**
Entity Number: **005 0539224/000**

This is in reference to your letter dated January 14th, 2013 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **February 13, 2013** is **$14,289.49**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Lori S. Fernandez
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*