BILL GARRETT, Davidson County
Trans:T20130026689 DEEDTRS
Recvd: 04/02/13 14:55 3 pgs
Fees:18.00 Taxes:56.53
20130402-0032512

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: 133-16-0-A-034.00-CO

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, James Michael Cunningham, executed a Deed of Trust to Matthew D. Ricker, Trustee, dated January 11, 2012, of record in Instrument No. 20120201-0009090, 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 February 25, 2013, of record in Instrument No. 20130226-0018895, 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 north door of the Metro/Davidson County Courthouse in Nashville, Davidson County, Tennessee, on March 26, 2013, at 10:45 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 Fifteen Thousand Two Hundred Seventy-eight Dollars and 00/100 ($15,278.00), 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:

> **Being Unit D-9 of Harding Glen Condominium (formerly Barcelona condominium), created under title 66, chapter 27, Section 101, et seq. as amended, Tennessee Code annotated, as established by a Master deed of record in Book 6400, page 801, as amended by Name Change Amendment to Master Deed for Barcelona Condominium, appearing of record in Book 11509, page 965, Register's Office for said County, together with the undivided percentage interest in the Common Elements appurtenant to said Unit, as set forth in Exhibit A-1 of said Master Deed. Reference is hereby made to the plat of Barcelona Condominium of record in Book 6400, Page 839, Register's Office for Davidson County, Tennessee for a more complete identification and description of said unit.**
>
> **Being the same property conveyed to James Michael Cunningham by Warranty Deed from The Estate of Mary Catherine Davis, dated October 27, 2011, of record in Instrument No. 20111103-0085646, Register's Office for Davidson County, Tennessee.**
>
> **Further reference is made to Deed of Trust of record in Instrument No. 20120201-0009090 and Appointment of Substitute Trustee of record in Instrument No. 20130226-0018895, Register's Office for Davidson County, Tennessee.**
>
> **This property is known as 270 Tampa Drive, Unit D-9, Nashville, TN 37211.**

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 1st day of April, 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 1st day of April, 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 **$15,278.00**.

Affiant

SWORN AND SUBSCRIBED to before me this 1st day of April, 2013.

Notary Public

DENISE CARVER STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

My Commission Expires: 3-16-15