BILL GARRETT, Davidson County
Trans:T20130093649 DEEDTRS
Recvd: 11/01/13 12:09 3 pgs
Fees:18.00 Taxes:74.00
20131101-0113603

Name & Address of Owner for Tax Bills:
Dean Kirby
c/o Investors Service Company
1108 Battlewood Street
Franklin, TN 37069

Prepared by:
David G. Mangum, Attorney
2303 Franklin Road
Nashville, TN 37204

MAP/PARCEL: 064-09-0 087.00

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under a Deed of Trust dated December 10, 2007, recorded by Instrument No. 20071212-0143050, Register's Office, Davidson County, Tennessee, **Christopher Wallace, also known as Christopher Jerome Wallace**, conveyed to F.B. Murphy, Jr., Trustee, the hereinafter described property to secure the therein mentioned indebtedness; and

WHEREAS, by instrument recorded in Instrument No. 20131002-0103174, said Register's Office, the lawful owner and holder of the indebtedness described in and secured by the aforementioned Deed of Trust, nominated and appointed David G. Mangum as Substitute Trustee; and

WHEREAS, default having been made in the terms, conditions, and payments made and provided for in said Deed of Trust, and the lawful owner and holder of said indebtedness having declared the entire debt and interest due and payable; and

WHEREAS, the lawful owner and holder of said indebtedness having requested David G. Mangum, Substitute Trustee, to sell said property in satisfaction of the indebtedness; and

WHEREAS, I, David G. Mangum, Substitute Trustee, did give 22 days notice of the time, place and terms of the sale by an advertisement in three weekly publications in *The Davidson AM of The Tennessean*, a newspaper published in Davidson County, Tennessee, said advertisement appearing in the editions of said newspaper under the dates of October 11, October 18 and October 25, 2013, stating that on **Friday, November 1, 2013 at 12:00 Noon** outside the entrance to the Register of Deeds Office for Davidson County located inside the Bridgestone Arena, 501 Broadway, Nashville, Tennessee, said property hereinafter described would be sold to the best and highest bidder for cash at public outcry, free from the equity of redemption, homestead, dower, and all other exemptions which are expressly waived in said Deed of Trust, but subject to any and all unpaid real estate taxes; and **SUBJECT** to a prior mortgage of record in Book 9769, page 375, said Register's Office; and

WHEREAS, I David G. Mangum, Substitute Trustee, did comply with Tennessee Code Annotated, Section 35-5-101, and as amended by Title 35-5-117, House Bill 3588, enacted by the General Assembly of the State of Tennessee on April 12, 2010 and effective on or after July 1, 2010 in regards to "owner-occupied" property if applicable.

WHEREAS, on said date at the time and place stated in said advertisement, and on said terms, I, David G. Mangum, Substitute Trustee, offered said property for sale at public outcry

and sold said property to **Dean Kirby**, his heirs and assigns, for **$20,000.00**, which amount was the highest, best, and last bid.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE SUM of the highest, best, and last bid, as set out above, cash in hand paid, the receipt of which is hereby acknowledged, I, **David G. Mangum, Substitute Trustee**, do hereby bargain and sell, and by these presents transfer and convey unto the said **Dean Kirby** (hereinafter referred to as Grantee), his heirs and assigns, the following described tract or parcel of land situated and lying in Davidson County, Tennessee, and more particularly described as follows:

BEING Lots Nos. 1 and 2 of Block "D" on the Map of Hadely Bend City Subdivision, as of record in Book 421, page 120, Register's Office for said County.

SAID Lot No. 1 fronts 25 feet on the southerly side of Commerce Street and runs back 188 feet along the westerly margin of Church Street on the east side and 164 feet on the west side to a dead line in the rear, measuring 25 feet the rear.

SAID Lot No. 2 adjoins above described Lot No. 1 on the westerly side, fronts 25 feet on the southerly side of Commerce Street and runs between lines 164 feet to a dead line.

DEED REFERENCE:
BEING the same property conveyed to Christopher Wallace and wife, Angelia Shay Denise Wallace by deed from Raymond R. Butcher and wife, Mary L. Butcher of record in Book 9769, page 372, said Register's Office.

ALSO BEING the same property conveyed to Christopher Jerome Wallace by deed from Angelia Shay Denise Wallace of record in Instrument No. 20071203-0139821, said Register's Office.

This property is sold SUBJECT to a first mortgage securing 129 Commerce Street, Old Hickory, TN, in favor of Raymond D. Butcher and wife, Mary L. Butcher in the original principal amount of $32,000.00, of record in Book 9769, page 375, said Register's Office, as well as SUBJECT to all existing easements, setback lines and restrictions of record in the said Register's Office including but not limited to Sanitary Sewer and/or Storm Drainage Easement of record in Book 10973, Page 104, said Register's Office.

MAP/PARCEL: 064 09 0 087.00
PROPERTY ADDRESS: 129 Commerce Street, Old Hickory, TN 37138, as shown on the tax maps of Assessor of Property for Davidson County, TN.

This sale is subject to any and all unpaid real estate taxes; restrictive covenants, easements and setback lines; any and all redemption rights, including rights of redemption of any governmental agency, State or Federal; and any and all other prior liens or encumbrances against said real property. Said sale is further subject to matters that an accurate survey of the property might disclose.

TO HAVE AND TO HOLD said property with the appurtenances, estate, title, and interest thereto belonging to said Grantee, his heirs and assigns forever, but subject to said real estate taxes and aforementioned Deed of Trust.

And I do further transfer and assign unto the said Grantee all the rights and benefits of the covenants and warranties in said Deed of Trust in as full and ample manner as under it, I can or should do, but I convey and assign as Trustee and not any further or otherwise.

WITNESS my hand on this the 1st day of November, 2013.

David G. Mangum, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **David G. Mangum**, Substitute Trustee, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, on this the 1st day of November, 2013.

Melissa A. Nesbitt
Notary Public

My Commission Expires: 10-23-2016

MELISSA A. NESBITT
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is **$20,000.00**.

Affiant

Subscribed and sworn before me, this 1st day of November, 2013.

Melissa A. Nesbitt
Notary Public

My Commission Expires: 10-23-2016

DGM File #69824

MELISSA A. NESBITT
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY