THIS INSTRUMENT PREPARED BY:
India Samuels
Shapiro & Kirsch, LLP
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Memphis, TN 38117
(901)767-5566

S&K:13-055259

BILL GARRETT, Davidson County
Trans:T20140032028 DEEDTRS
Recvd: 05/08/14 13:21 2 pgs
Fees:13.00 Taxes:444.37
20140508-0039501

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 13, 2001, recorded in Instrument No. 20010808-0085409, in the Register's Office of Davidson County, Tennessee, Nicholas Ray, unmarried conveyed to Arnold M. Weiss, Attorney, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the undersigned was appointed as Substitute Trustee by Instrument of record in Instrument Number 20140206-0010741, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, the holder requested said Substitute Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request the property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust, by publication in the Nashville Ledger, such advertisement appearing in said newspaper on March 21, 2014, March 28, 2014, and April 4, 2014, by which advertisement the sale was appointed to be held on April 24, 2014, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 10:00 AM; and,

WHEREAS, pursuant to T.C.A. § 35-5-101 Notice of the Foreclosure Sale including the date, time, location, and terms of the sale was timely given by mailing a copy of the Notice of Sale by registered or certified mail, return receipt requested, to all parties entitled to said notice and following such notice the default was not cured.

WHEREAS, the Substitute Trustee has conducted a diligent search of the Defense Manpower Data Center (DMDC) website for each known Borrower in compliance with the Service Members Civil Relief Act, and as such the foreclosure of this property is not subject to the provisions of 50 U.S.C. § 501, *et seq.*; and

WHEREAS, at the time and place mentioned in said advertisement, the property was sold at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to Daryl Spicer, whose address is 2007 Kimberly Drive, Mount Juliet, TN 37122, at and for the sum of $120,100.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Daryl Spicer, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Daryl Spicer the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Daryl Spicer, his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

> Land in Davidson County, Tennessee, being part of Lots No. 33 and 52 and part of an Alley (now closed by Council Bill 70-1225) lying between said lots on the Plan of W.S. Ashworths Re-Subdivision of lots 47, 48, 49 and 50 in the Town of Brownsville of record in Book 161, page 153, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.
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> Said part of Lot No. 33 measures 129.4 feet on the L & N Railroad right of way, the east side of said lot measuring 136.5 feet and the west side 50.5 feet. Said part of Lot no. 52 fronts 50 feet on the southerly side of Carter Avenue, and runs back 156 feet on the easterly line and 155.2 feet, more or less on the westerly line.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20010808-0085409, in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument No. 20010808-0085409, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Special Warranty Deed recorded at Instrument Number 20010808-0085408, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens and any other matter of record. The Substitute Trustee does not warrant or guarantee any amounts of acreage that may be referenced in the legal description.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Daryl Spicer, his successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under it, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set its hand and seal this 30 day of April, 2014.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 30th day of April, 2014, before me, a Notary Public, in and for said State and County, personally appeared Philip Brooks, with whom I am personally acquainted, and who, acknowledged himself/herself to be an authorized signatory of Shapiro & Kirsch, LLP, the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

WITNESS my hand and Notarial Seal at Office the day and year above written.

LUCINDA CALHOUN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
OCTOBER 21, 2017
My commission expires:

_____
Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $120,100.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant

Subscribed and sworn to before me on the date written above.

_____
My commission expires:

_____
Notary Public

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$ 120,100
_____, **Affiant**
Subscribed and sworn before me this the
8 **Day of** May, 2014
_____, **Deputy Register**

PROPERTY ADDRESS: 2110 Carter Avenue, Nashville, Tennessee 37206

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Daryl Spicer
2007 Kimberly Drive, Mount Juliet, TN 37122

S&K File #13-055259 / CWF
Map & Parcel -083 03 0 151.00

RETURN TO:

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PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.

13-055259 / STD
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