107 New Brick Church Pike, Goodlettsville, TN 37072

BILL GARRETT, Davidson County
Trans: T20140056464 DEEDTRS
Recvd: 08/04/14 10:41 3 pgs
Fees: 18.00 Taxes: 537.24
20140804-0069519

This Instrument Prepared By:

David M. Smythe, Esq.
Smythe & Huff
144 Second Avenue, North, Suite 333
Nashville, TN 37201
(615) 255-4849

SUBSTITUTE TRUSTEE'S DEED

Address New Owner(s) As Follows:	Send Tax Bills To:	Map-Parcel Nos.
Carl McWhirter and wife, Mary McWhirter 2219 Crocker Springs Road Goodlettsville, TN 37072	Same	Map No. 018-16 Parcel No. 202.00

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $145,200.00.

Affiant

Subscribed and sworn to before me, this 4th day of August, 2014.

Notary Public

My Commission Expires: March 3, 2015

SHELLEY L. ORR
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

WHEREAS, by Deed of Trust dated March 18, 2008 of record in Instrument No. 20080512-0048659, Register's office for Davidson County, Tennessee, S. Adele Doherty, a married man, conveyed to FMLS, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument of record in Instrument No. 20130710-0071435, said Register's office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Deed of Trust and such ad appeared in The Tennessean/Davidson A.M. edition on July 4, 2014, July 11, 2014, and July 18, 2014; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 31st day of July, 2014, at 10:15 o'clock a.m. at the south front entrance of the Davidson County Courthouse, James Robertson Parkway, Nashville, Tennessee; and

WHEREAS, at the appointed time and place, undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which sale, Carl McWhirter and wife, Mary McWhirter, being the highest and best bidder became the purchaser of said property at and for the sum of One Hundred Forty-Five Thousand Two Hundred and no/100 Dollars ($145,200.00).

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute Trustee, does hereby grant, bargain, sell, transfer, and convey unto Carl McWhirter and wife, Mary McWhirter, the following real estate:

> Being Lot No. 2 on the Tinnon Place Subdivision as of record in Plat Book 5800, Page 79, Register's Office for Davidson County, Tennessee, and more particularly described according to a survey by Donald R. Carver, Tennessee No. 271, dated June 20, 1982, as follows:
>
> Said Lot No. 2 fronts 121.65 feet on the Northerly side of New Brick Church Pike and runs back between lines 113.83 feet on the Easterly line and 115.12 feet on the Westerly line to a dead line in the rear upon which it measures 122.13 feet thereon.
>
> Being the same property conveyed to S. Adele Doherty by Warranty Deed recorded in Instrument No. 20080512-0048658, Register's Office for Davidson County, Tennessee.

To have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in hand and free from the equity of redemption, statutory right of redemption, homestead, elective share and all other exemptions and redemption rights in the Maker of said Deed of Trust and all persons claiming through and under said Maker.

WHEREAS, undersigned also obtained an order for stay relief entered in the pending Chapter 13 Bankruptcy case of S. Adele Doherty in Case No. 3:13-bk-05938 pending in the Middle District of Tennessee Bankruptcy Courts which order expressly allowed the foreclosure sale of this property to proceed.

UNDERSIGNED, as Substitute Trustee, also hereby conveys to Carl McWhirter and wife, Mary McWhirter, their successors and assigns, all of the covenants or warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise. Undersigned makes no warranties as to condition, location or set back of improvements on the property. The property is subject to all easements or restrictions of record in the Register's Office. This conveyance is also subject to such priority tax liens and prior encumbrances as may appear of record, as well as all ad valorem property taxes which may be of record or applicable to said property.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto ~~set his~~ hand and ~~seal,~~ this 4th day of August, 2014.

David M. Smyth~~e~~, Substitute Trustee

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Shelby L. Orr, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted, (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 4th day of August, 2014.

Shelby L. Orr
Notary Public

My Commission Expires: March 3, 2015