THIS INSTRUMENT PREPARED BY:
Shapiro & Kirsch, LLP
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S&K:12-030089

BILL GARRETT, Davidson County
Trans:T20140090868 DEEDTRS
Recvd: 12/04/14 11:31 2 pgs
Fees:13.00 Taxes:129.87
20141204-0111199

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated June 17, 1996, recorded in Book 10098, Page 376, in the Register's Office of Davidson County, Tennessee, Betty Kennedy conveyed to James A. Crislip, 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 20140120-0008248, 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 Ledger, such advertisement appearing in said newspaper on October 10, 2014, October 17, 2014, and October 24, 2014, by which advertisement the sale was appointed to be held on November 11, 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 Don and Vi Prosser , whose address is 1807 Joseph Hayes Ct., Mount Juliet, TN 37122, at and for the sum of $35,100.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Don and Vi Prosser , 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 Don and Vi Prosser 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 Don and Vi Prosser , their successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot No. 36 of Block "D" on the Revised Plan of Rainbow Terrace Subdivision, as of record in Book 1130, Page 85, Register's Office for said county.

Said Lot No. 36 fronts 50 feet on the Northerly side of Carmel Avenue, and extends back between parallel lines, 145 feet to a dead line.

Being all the same property conveyed to Betty Kennedy by deed from Lisa Horner and Gail Sorrells of Record Book 9241 Page 31 Register's Office for Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Book 10098, Page 376, 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 Book 10098, Page 376, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed recorded at Book 9241, Page 31, 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.

SALE IS SUBJECT TO ANY INTEREST THAT MAY EXIST IN UNRELEASED DEED OF TRUST OF RECORD AT BOOK 9241, PAGE 38, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

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 Don and Vi Prosser , their 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 17th day of November, 2014.

Shapiro & Kirsch, LLP

By: Bridget Cole

Authorized Signatory **Bridget Cole**

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 17th day of November 2014, before me, a Notary Public, in and for said State and County, personally appeared Bridget Cole, 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.

MY COMMISSION EXPIRES
OCTOBER 21, 2017
My commission expires:

Linda Shaw
Notary Public

LINDA SHAW
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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 $35,100.00, 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
$ 35,100.00
Affiant
Subscribed and sworn before me this the
4 Day of December, 2014.
Deputy Register

PROPERTY ADDRESS: 645 Carmel Drive, Madison, Tennessee 37115
SECONDARY PROPERTY ADDRESS: 645 Carmel Avenue, Madison, TN 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Don and Vi Prosser
1807 Joseph Hayes Ct., Mount Juliet, TN 37122

S&K File #12-030089 / W50
Map & Parcel -052 02 0 074.00

RETURN TO:

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