THIS INSTRUMENT PREPARED BY AND RETURN TO:
AARON J. NASH
EVANS & PETREE PC
2550 MERIDIAN BLVD., SUITE 200
FRANKLIN, TENNESSEE 37067

BILL GARRETT, Davidson County
Trans:T20150100015 DEEDTRS
Recvd: 11/24/15 13:34 4 pgs
Fees:23.00 Taxes:271.42
20151124-0119215

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on June 7, 2011, S & S Real Estate, LLC, executed a Deed of Trust to Joseph B. Pitt, Trustee, to secure the payment of a Promissory Note in the original principal amount of Three Hundred Ten Thousand and No/100 ($310,000.00) Dollars, payable to Live Oak Banking Company, said Deed of Trust being recorded as Instrument No. 20110608-0043922, in the Register's Office of Davidson County, Tennessee;

WHEREAS, on September 11, 2015, Live Oak Banking Company, as holder and owner of the debt secured by said Deed of Trust, having reasons satisfactory to it under the provisions of said Deed of Trust, by Instrument No. 20150911-0092501 recorded in the aforesaid Register's Office, named and appointed the undersigned, Aaron Nash, as Substitute Trustee in the place and stead of said Joseph B. Pitt; and

WHEREAS, default was made in the payment of the debt and obligation secured by said Deed of Trust, and the undersigned as Substitute Trustee was requested to advertise and sell the property conveyed by said Deed of Trust in compliance with the provisions thereof; and

WHEREAS, the undersigned as Substitute Trustee did, in compliance with the provisions of said Deed of Trust, advertise for sale the property conveyed by same, the advertisement of sale having been published in *The Tennessean*, a newspaper published in Nashville, Davidson County, Tennessee, in the issues of October 9, October 16, and October 23, 2015, of said newspaper, said sale having been advertised for October 29, 2015, commencing at 10:00 a.m., at the Front Entrance of the Historic Davidson County Courthouse, One Public Square, Nashville, Davidson County, Tennessee,, at which time and place same was offered for sale and sold; and

WHEREAS, the highest and best bid for aforesaid property was then and there made by George W. Smiley DDS to wit: a bid of Seventy Three Thousand Three Hundred Fifty-Seven Dollars and 51/100 ($73,357.51) for said property, which bid was then and there accepted by the undersigned as Substitute Trustee. Additional bids for said property were submitted as follows: Live Oak Banking Company opening bid in the amount of Seventy Three Thousand Three Hundred Fifty-Six Dollars and 51/100 ($73,356.51)

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance of the terms of said bid, the undersigned, Aaron Nash, as Substitute Trustee, does bargain, sell and convey unto George W. Smiley DDS the property advertised and sold as hereinabove recited, situated and lying in the County of Davidson, State of Tennessee, and more particularly described as follows:

Land in Davidson County, Tennessee, being Unit No. 7 as shown on Final Condominium Plat

for Medical Dental Plaza attached as Exhibit "A" to Master Deed for Medical Dental Plaza, a Horizontal Property Regime, of record as Instrument No. 20051229-0156181 and amended in Instrument No. 20060905-0109525, Register's Office for Davidson County, Tennessee, to which plat reference is made for a more complete and accurate description.

Being the same property conveyed to Timothy Blair, D.D.S., by deed from Thomas E. Stewart, Trustee (22.9891%); Donald E. Cox (24.960%; Kurt R. Swauger (13.509%); John M. Dedmon and wife, Mary K. Dedmon (8.024%); Timothy Blair, D.D.S. (7.0984%); Richard Bryan Carlin D.M.D. (12.475%); Sook Kim, D.D.S. (10.6987%); David Lewellen (.07448%); and Sam Castellani, M. D. and wife, Monica Haney-Castellani (.1707%), of record as Instrument No. 20051229-0156189, dated January 1, 2006, said Register's Office. Being also a part of the same property conveyed to Timothy Blair by deed from Thomas E. Stewart, Trustee, with full power to transfer, sell, convey, mortgage, lease and encumber without consent or joinder of beneficiary, or record in Book 9497, Page 850, dated October 19, 1994, said Register's Office.

Further, being the same property conveyed to S & S Real Estate, LLC, a Tennessee Limited Liability Company, by Warranty Deed executed by Timothy Blair, D.D.S. dated June 7, 2011 of record in Instrument No. 20110608-0043921, said Register's Office.

TO HAVE AND TO HOLD unto George W. Smiley DDS, his successors and assigns in fee simple forever together with all fixtures, fittings, building materials, machinery, equipment, furniture and furnishings and personal property of every nature whatsoever used or intended to be used in connection with the operation of the aforedescribed real property, taking subject to all outstanding, delinquent and subsequent property taxes which are or may be assessed in the future, including without limitation any penalties, fees or interest, all association dues which may be outstanding or become due, including without limitation any penalties, fees or interest, and further subject to any and all restrictions, easements or other matters of record in the Register's Office of Davidson County, which would be shown by a survey of the Property, or otherwise affecting the Property herein conveyed

All rights and equity of redemption, statutory and otherwise, homestead and dower are expressly waived in said Deed of Trust. The undersigned Substitute Trustee believes the title hereby conveyed to be good, but warrants the same only against the lawful claims of all persons claiming by, through and under a conveyance from the undersigned as Substitute Trustee under the provisions of the above described Deed of Trust and not further or otherwise.

The proceeds of this sale, the receipt of which the undersigned Substitute Trustee hereby acknowledges, have been applied as follows:

| | | |
|---|---|---|
| Amount Received | | $73,357.51 |
| Less: | | |
| Title Search/Exam | $500.00 | |
| Balance Credited on Deed of Trust | | $72,857.51 |
| Balance to be disposed of in accordance with the terms of the above described Deed of Trust | | $0.00 |

WITNESS the signature of the undersigned, Aaron Nash, Substitute Trustee, this 24 day of November, 2015.

**Aaron Nash**, Substitute Trustee

ACKNOWLEDGEMENT

STATE OF TENNESSEE
COUNTY OF Williamson

On this 24 day of November, 2015, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Aaron Nash, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

Notary Public

My Commission expires:
09-17-2017

BECKY JOHNSON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

MY COMMISSION EXPIRES:
SEPTEMBER 17, 2017

**NEW PROPERTY OWNER AND SEND TAX BILLS TO:**
George W. Smiley DDS
1035 Mulberry Way
Nashville, Tennessee 37207

**PARCEL ID NUMBER:**
051-06-0B-007

**Property Address:**
500 Lentz Drive, Suite 90A
Madison, Tennessee 37115

| | |
|---|---|
| Transfer Tax | $271.42 |
| Register's Fee | $ 3.00 |
| Recording Fee | $ 20.00 |
| Total | $294.42 |

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 $73,357.51.

Affiant

Subscribed and sworn to before me this 24 day of November, 2015.

Notary Public

Commission Expires: 04-17-2017

BECKY JOHNSON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

**MY COMMISSION EXPIRES: SEPTEMBER 17, 2017**