BILL GARRETT, Davidson County
Trans:T20170051580 DEEDTRS
Recvd: 06/16/17 10:36 6 pgs
Fees:33.00 Taxes:314.22
20170616-0060589

This Instrument Prepared by:
Bridget J. Willhite
CARTER, HARROD & WILLHITE, PLLC
One East Madison Avenue
Athens, Tennessee 37303 (e)

THE PREPARER OF THIS DOCUMENT MAKES NO WARRANTY OR REPRESENTATIONS AS TO THE TITLE OF THE FIRST PARTY. ACCURACY OF THE DESCRIPTION OR THE EXISTENCE OR NON-EXISTENCE OF ANY LIENS, ENCUMBRANCES, EASEMENTS, OR OTHER ENCROACHMENTS, OR COMPLIANCE WITH ANY PLANNING, ZONING OR SUBDIVISION REGULATIONS THAT AFFECT THE PROPERTY CONVEYED HEREIN.

SEND PROPERTY TAX STATEMENT TO:

Simmons Bank

11700 Cantrell Road

Little Rock, AR 72223

TAX ID # 010 00 0 082.00
(Map - Parcel)

SECOND PARTY MUST RECORD OR ENSURE THIS DEED IS RECORDED IN THE REGISTER'S OFFICE FOR THE COUNTY IN WHICH THE PROPERTY LIES. FAILURE TO RECORD MAY AFFECT YOUR RIGHTS IN THE PROPERTY.

SUBSTITUTE TRUSTEE'S DEED

THIS INDENTURE made on this the 13th day of June, 2017, by and **BRIDGET J. WILLHITE**, **Substitute Trustee**, of McMinn County, Tennessee, hereinafter referred to as First Party, and **SIMMONS BANK,** an Arkansas state chartered bank with its principal place of business in Pine Bluff, Jefferson County, Arkansas, hereinafter referred to as Second Party.

WHEREAS, by Deed of Trust dated the 14th day of September, 2007, of record as Instrument No. 20070919-0111961, in the Register's Office for Davidson County, Tennessee, **MICHAEL K. BLACKLEDGE and JUDY DAWN BLACKLEDGE aka DAWN AYERS WAYNICK**, did convey in trust to John Bruno, Trustee, on behalf of First State Finance, Inc., the hereinafter described real estate, to secure the payment of a certain Note; and

WHEREAS, an Appointment of Substitute Trustee was executed on January 21, 2016, recorded as Instrument No. 20160129-0009027, in which Kevin J. Jones was appointed as Substitute Trustee in place of John Bruno; and

WHEREAS, on the 16th day of May, 2017, Simmons Bank, successor by merger to First State Finance, Inc., as owner and holder of the Note referenced herein, did appoint **Bridget J. Willhite**, as **Substitute Trustee** under the Deed of Trust referenced herein and said appointment is recorded in the Register's Office for Davidson County, Tennessee, as Instrument No. 20170518-0049277; and

WHEREAS, default was made in the payment of certain installments of said Note and the owner and holder of the same has declared the entire unpaid balance due and payable in accordance with the terms of the Deed of Trust and has directed the Substitute Trustee to sell said property as provided for under the terms of the Deed of Trust; and

WHEREAS, in keeping with said instrument, the Substitute Trustee has caused to be published in *The Ledger*, a weekly newspaper having general circulation in Davidson County, Tennessee, a Notice of Sale Under Deed of Trust in keeping with the terms of said Deed of Trust, affixing the time of sale as **Tuesday, June 13, 2017, at 10:30 a.m.**, at the front door of the Courthouse at Nashville, Davidson County, Tennessee; and

WHEREAS, pursuant to said Notice on the date and at the time and place set out in said Notice, the First Party offered the property for sale, and after requesting competitive bids, said property was struck off to **SIMMONS BANK, an Arkansas state chartered bank with its principal place of business in Pine Bluff, Jefferson County, Arkansas**, at the price of EIGHTY-FOUR THOUSAND NINE HUNDRED TWENTY-FIVE AND 21/100THS ($84,925.21) DOLLARS, this being the highest, best and last bid.

NOW THEREFORE, in consideration of the matters recited hereinabove, the First Party has this day bargained, sold, and does hereby sell, transfer and convey unto the Second Party, its successors and/or assigns, the following described real estate, located in Davidson County, Tennessee, and being more particularly described as follows, to-wit:

A certain tract or parcel of land in the 1st Councilmanic District of Davidson County, Tennessee, described according to a survey dated November 6, 1996, by Tommy E. Walker, Registered Land Surveyor, License No. 1465 (Drawing No. 110696) as follows:

BEGINNING at an iron pin in the Easterly line of the property conveyed to Charles Field by deed of record in Book 8223, Page 744, Register's Office for Davidson County, Tennessee, said **POINT OF BEGINNING** being described as follows: From the Northerly margin of Ivy Point Road along the Northeast lines of the property conveyed to Jerry Lee Ayers and wife, Judy D. Ayers, of record in Book 6451, Page 346, Register's Office for Davidson County, Tennessee, North 81 degrees 00 minutes 00 seconds East 206.00 feet to a point; thence North 48 degrees 00 minutes 00 seconds East 100.00 feet to a point; thence North 46 degrees 00 minutes East 90.00 feet to a point; thence North 61 degrees 00 minutes 00 seconds East 58.00 feet to a point; thence North 61 degrees 45 minutes 00 seconds East 104.00 feet to a point; thence North 42 degrees 30 minutes 00 seconds East 50.00 feet to a point; thence North 35 degrees 15 minutes 00 seconds East 81.00 feet to a point; thence North 20 degrees 45 minutes 00 seconds East 182.00 feet to a set iron pin marking the **POINT OF BEGINNING** of this tract; thence **FROM SAID POINT OF BEGINNING**, North 28 degrees 18 minutes 44 seconds West 276.70 feet to an iron pin; thence North 13 degrees 06 minutes 37 seconds West 568.49 feet to an iron pin; thence South 82 degrees 00 minutes 00 seconds East 531.46 feet to an iron pin; thence North 51 degrees 50 minutes 00 seconds East 67.81 feet to a C.L. Hollow; thence South 03 degrees 03 minutes 50 seconds West and with the Westerly line of the property conveyed to Charlies Field of record in Book 8223, Page 744, Register's Office for Davidson County, Tennessee, 538.14 feet to an iron pin; thence South 59 degrees 00 minutes 00 seconds West 192.00 feet to an iron pin; thence South 44 degrees 00 minutes 00 seconds West 98.00 feet to an iron pin; thence South 50 degrees 00 minutes 00 seconds West 54.00 feet to an iron pin; thence South 35 degrees 00 minutes 00 seconds West 29.00 feet to the **POINT OF BEGINNING, and containing 7.00 acres, more or less**. The foregoing property described was prepared from a survey dated November 6, 1996, by Tommy E. Walker, Registered Land Surveyor, License No. 1465.

EASEMENT:
A non-exclusive easement for ingress and egress and for private utilities, 50 feet in width from Ivy Point Road to the 7.00 acre tract, hereinabove described, said easement being further described as follows:

An Easement 50 feet in width extending Northwest of and parallel with the Southeast property line of the property conveyed to Jerry Lee Ayers and wife, Judy D. Ayers, of record in Book 6451, Page 346, Register's Office for Davidson County, Tennessee, said property line being described as follows: North 81 degrees 00 minutes 00 seconds East 206.00 feet to a point; thence North 48 degrees 00 minutes 00 seconds East 100.00 feet to a point; thence North 46 degrees 30 minutes 00 seconds East 90.00 feet to a point; thence North 61 degrees 00 minutes 00 seconds East 58.00 feet to a point; thence North 61 degrees 45 minutes 00 seconds East 104.00 feet to a point; thence North 42 degrees 30 minutes 00 seconds East 50.00 feet to a point; thence North 35 degrees 15 minutes 00 seconds East 81.00 feet to a point; thence North 20 degrees 45 minutes 00 seconds East 182.00 feet to a set iron pin, marking the **POINT OF BEGINNING** of the 7.00 acre tract, as hereinabove described.

BEING the same property conveyed in Warranty Deed from Jerry Lee Ayers and wife, Judy D. Ayers, to Dawn Ayers Waynick, a single woman, dated 06/23/1998, in Deed Book 10998, Pages 195-197, in the Register's Office for Davidson County, Tennessee.

SUBJECT to all matters as shown in **INGRESS AND EGRESS EASEMENT** set out in Deed Book 10998, Pages 195-197, Register's Office for Davidson County, Tennessee.

SUBJECT to all matters as shown in **EASEMENT** set out in Book 10363, Page 671, Register's Office for Davidson County, Tennessee.

The subject property has no public road frontage, but it appears to have access by easement for ingress and egress in vesting deed of record in Deed Book 10998, Page 195.

THIS CONVEYANCE IS SUBJECT to all prior easements, rights of way and restrictions, visible or otherwise.

THIS CONVEYANCE IS FURTHER SUBJECT to any and all applicable zoning ordinances, rules and regulations.

The foregoing description was: _X_ taken from prior deed; ____ based on new survey described above; _____ provided by the parties; _____ (other). (T.C.A. § 66-24-121)

TO HAVE AND TO HOLD the said above described real estate together with all improvements thereon, unto the Second Party, its successors and assigns, in fee simple forever, and in bar of all equitable and statutory rights of redemption.

And the First Party, as Substitute Trustee, does hereby transfer, assign and set over unto the Second Party, its successors and assigns, all of the covenants and warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title as she is authorized to do as Substitute Trustee, but not further or otherwise, and said property was sold and is hereby conveyed subject to all unpaid taxes, assessments, and tax liens and other valid encumbrances.

No warranties are made as to the merchantability of title of said real property, which property is being sold, "where is, as is", subject to all restrictions, easements, governmental zoning or regulations, subdivision ordinances or regulations in effect with respect to the property, unpaid property taxes, assessments and all superior encumbrances and liens, if any, whether of record or not. The Substitute Trustee herein makes no representations or warranties as to status of title or description of this property.

IN WITNESS WHEREOF, the said First Party has set her hand and seal on this the day and date first above written.

BRIDGET J. WILLHITE, Substitute Trustee

STATE OF TENNESSEE §
COUNTY OF McMINN §

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, **BRIDGET J. WILLHITE**, the within named bargainor, with whom I am personally acquainted, and who acknowledged herself to be the **Substitute Trustee** under that certain Appointment of the Substitute Trustee as recorded as Instrument No. 20170518-0049277, in the Register's Office for Davidson County, Tennessee, and who executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office, this 15th day of June, 2017.

Melissa L Edgmon
NOTARY PUBLIC

My Commission Expires: 7/24/2019

MELISSA L. EDGMON
STATE OF TENNESSEE NOTARY PUBLIC
McMINN COUNTY

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $84,925.21, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

BJ Willhite
Affiant

Subscribed and sworn to before me this 15th day of June, 2017.

Melissa L Edgmon
Register of Deeds/~~Notary Public~~
My Commission Expires: 7/24/2019

MELISSA L. EDGMON
STATE OF TENNESSEE NOTARY PUBLIC
McMINN COUNTY