Bill Garrett Davidson County
Batch# 123376 DEEDTRS
08/01/2018 11:41:56 AM 3 pgs
Fees: $18.00 Taxes: $662.67
20180801-0075114

PREPARED BY:
Padgett Law Group
6267 Old Water Oak Road
Suite 203
Tallahassee, FL 32312
TDP File No.: 18-002948

SUBSTITUTE TRUSTEE'S DEED

This instrument made this 25th day of June, 2018, by and between **Padgett Law Group,** Substitute Trustee, and **Capital Invest LLC.**

WITNESSETH:

THAT, WHEREAS, on December 29, 2004, Dianne Collier duly executed and acknowledged a Deed of Trust, as recorded in **Instrument Number 20050103-0000371** ("Deed of Trust") in the Register's Office for Davidson County, Tennessee, conveying to Atty Arnold M. Weiss, Trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), as nominee for Homecomings Financial Network, Inc., the hereinafter described real estate, to secure payment of an indebtedness and the performance of the obligations therein mentioned, together with fees and costs necessary to enforce the collection thereof, said note being incorporated in said Deed of Trust by reference, said real estate being more particularly bounded and described as follows:

Legal of the Property: A certain tract or parcel of land located in Davidson County, Tennessee, described as follows to-wit: Being Lot No. 107 on the Plan of Greenwood Hills, Section 3, as of record in Book 5050, page 10, and Register's Office for Davidson County, Tennessee. Beginning at a point in the westerly side of Jasmin Drive at the common corner of Lots 106 and 107; thence with the lines between said two lots westerly 100.00 feet to a point; thence southerly 101.35 feet to a point, said point in the northerly margin of Scotwood Drive; thence with the northerly margin of said Scotwood Drive easterly 75.00 feet to the beginning of a curve; thence around said curve which has a radius of 25.00 feet northeasterly 39.27 feet to the westerly margin of Jasmin Drive; thence with the westerly margin of Jasmin Drive northerly 76.35 feet to the point of beginning. Being the same property conveyed to Dianne Collier from Doug Lawrence, married, by Warranty Deed dated _____ and recorded _____ in Instrument No. 20050103-0000370, Register's Office for Davidson County. This conveyance is subject to Restrictions of record in Book 5086, page 766 and Book 5259, page 933; and all matters of record on plat in Book 5050, page 10, Register's Office for Davidson County. This conveyance is made subject to all zoning regulations, building restrictions, easements, rights of public utilities or other governmental regulations applicable to the foregoing property. The taxes for the current year have been prorated and are assumed by the grantee(s).

The last Deed of record is Warranty Deed recorded in Instrument Number 20050103-0000370, of record in the Register's Office of Davidson County, Tennessee

Street Address: The street address of the property is believed to be 3924 Scotwood, Nashville, TN 37211, but such address is not part of the legal of the property. In the event of any discrepancy, the legal of the property herein shall control.

No updated boundary survey has been obtained at the time of this conveyance.

WHEREAS, Padgett Law Group, was appointed and designated Substitute Trustee under the aforesaid Deed of Trust pursuant to an instrument of record in **Instrument Number 20180517-0047360** in the aforesaid Register's Office; and

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the owner and/or holder of said obligations directed the Substitute Trustee to foreclose said Deed of Trust in accordance with the terms and provisions thereof and to sell the real estate above described; and

WHEREAS, the Substitute Trustee did advertise the sale of said real estate herein described, as provided in said

Deed of Trust, in a local newspaper of general circulation/published in Davidson County, Tennessee, to-wit, The Ledger, giving the time, place and terms of said sale. Such advertisement appearing in said newspaper on May 25, 2018, June 1, 2018, and June 8, 2018; and

WHEREAS, pursuant to T.C.A. § 35-5-101, Notice of the Foreclosure Sale including 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 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 therein contained.

WHEREAS, on the 21st day of June, 2018, at the hour of 10 o'clock a.m., local time, at the front entrance of The Historic Davidson County Courthouse, One Public Square, Nashville, TN 37201, the time and place fixed in the advertised Notice of Sale, the foregoing described real estate was offered for sale at public auction to the last, highest and best bidder, and being cried for a reasonable time, was finally sold to Capital Invest LLC, at a bid of **$179,100.00**, being the highest and best bid, which purchase price was paid to the undersigned Substitute Trustee and then applied by said Substitute Trustee as directed and provided in said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and the said purchase price bid and paid, Padgett Law Group, as Substitute Trustee, does hereby grant, bargain, sell, transfer, and convey unto **Capital Invest LLC** the real estate hereinbefore described, TO HAVE AND TO HOLD the same, together with all of the hereditaments, improvements, buildings, easements and appurtenances therein and thereunto belonging and appertaining, and free from the right and equity of redemption, homestead, dower and all other exemptions of any and every kind in the makers of said Deed of Trust, and warrants the title to the aforesaid real property against the lawful claims of all persons claiming through and under said makers, as such Substitute Trustee, but not further or otherwise.

This conveyance is SUBJECT TO any rights of redemption held by federal or state governmental authorities (if noted herein), priority tax liens, prior encumbrances, objections, building lines and easements, conditions, restrictions, any current or delinquent ad valorem property taxes which may be recorded or applicable to said property, including any applicable personal property, business, or other local taxes, and any other matter of record.

IN WITNESS WHEREOF, Padgett Law Group, Substitute Trustee hereunto set its hand and seal the day and year first above written.

Timothy D. Padgett, PA D/B/A Padgett Law Group, a Professional Association, Substitute Trustee

By: _____

Printed Name: **Brendon Kuhlman**

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said state and county, personally appeared **Brendon Kuhlman** with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself/herself to be an authorized signatory of Timothy D. Padgett, PA D/B/A Padgett Law Group, a Professional Association, the within bargainor, and that he/she as such authorized signatory, executed the foregoing Instrument for the purpose therein contained, by signing the name of Timothy D. Padgett, PA D/B/A Padgett Law Group, a Professional Association.

WITNESS my hand, at office, this 25th day of June, 2018.

Notary Signature: _____

My Commission Expires: 07/03/21

PATRICIA MARCH BANKS
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
MY COMMISSION EXPIRES 7-3-2021

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is **$179,100.00** which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant

STATE OF TENNESSEE
COUNTY OF SHELBY

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

Notary Signature: _____

My Commission Expires: _____

PROPERTY ADDRESS: 3924 Scotwood, Nashville, TN 37211

Responsible Taxpayer and Property Owner:

Capital Invest LLC
728 Crestmark Drive
Mount Juliet, TN 37122

Map/Parcel Number: 133.12 0 227.000

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$ 179100
_____, Affiant
Subscribed and sworn before me this the
1 Day of August, 2018.
Rebeca Varela, Deputy Register