Karen Y Johnson Davidson County
Batch# 154734 DEEDTRS
10/29/2018 11:56:08 AM 3 pgs
Fees: $18.00 Taxes: $673.27
20181029-0106821

PREPARED BY:
Padgett Law Group
6267 Old Water Oak Road
Suite 203
Tallahassee, FL 32312
TDP File No.: 17-009071

SUBSTITUTE TRUSTEE'S DEED

This instrument made this 11th day of October, 2018, by and between **Padgett Law Group,** Substitute Trustee, and **1 Public Homes LLC.**

WITNESSETH:

THAT, WHEREAS, on February 27, 2006, William Kimball, and his wife, Erica Kimball, duly executed and acknowledged a Deed of Trust, as recorded in **Instrument Number 20060307-0026126** ("Deed of Trust") in the Register's Office for Davidson County, Tennessee, conveying to Robert M. Wilson, Trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), as nominee for Countrywide Home Loans, 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 in the 8th Civil District of Davidson County, Tennessee, described as follows: BEGINNING at an iron pin set, said pin being located on the northerly right of way of Charlotte Pike, and being the southwesterly corner of Bobby Tidwell as recorded in Book 10392, page 606, R.O.D.C.; thence, leaving Tidwell and along said right of way the following calls: with a curve to the right, said curve having a radius of 1861.65`, a tangent of 109.34` a length of 218.43` and a chord bearing and distance of S 69 degrees 48` 46"W, 218.31` to a concrete right of way marker found, S 72 degrees 49` 02"W, 282.77` to an iron pin set, thence leaving right of way and with a new line severing the Floyd Smith property as recorded in Book 6624, page 296, R.O.D.C., N 0 degrees 04` 45" W, 658.22` to an iron pin set in the southerly line of Thomas Bianconi as recorded in Book 7242, page 593, R.O.D.C., thence with Bianconi the following calls: N 87 degrees 08` 29" E, 142.86` to a fence post, S 89 degrees 53` 02" E, 185.27` to a fence post, S 87 degrees 05` 29" E, 103.06` to a fence post, N 88 degrees 52` 03" E, 100.00` to a 3" hickory tree; S 76 degrees 39` 13" E, 12.46` to a fence post, S 62 degrees 30` 40" E, 42.11` to a 10" elm tree; S 19 degrees 26` 40" E, 14.16` to a 12" hackberry tree, S 5 degrees 16` 04" E, 37.38` to a iron pin set at the northeasterly corner of said Tidwell; thence, leaving Bianconi and with Tidwell the following calls: S 58 degrees 44` 30" W, 256.55` to an iron pin set; S 19 degrees 47` 11" E, 315.45` to the point of beginning.

The last Deed of record is Warranty Deed recorded in Instrument Number 20030122-0008925 of record in the Register's Office of Davidson County, Tennessee

Street Address: The street address of the property is believed to be 7644 Charlotte Pike, Nashville, TN 37209, 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 20171018-0106831,** 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 September 14, 2018, September 21, 2018, and September 28, 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 11th day of October, 2018, at the hour of 10 o'clock a.m., local time, at the main entrance to the Davidson County Courthouse located at 1 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 1 Public Homes LLC, at a bid of **$181,965.41**, 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 **1 Public Homes 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 11th day of October, 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 **$181,965.41** 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: 2-25-19

JAMES C SMITH
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

PROPERTY ADDRESS: 7644 Charlotte Pike, Nashville, TN 37209

Responsible Taxpayer and Property Owner:

1 Public Homes LLC
7051 Highway 70 South #315
Nashville, TN 37221

Map/Parcel Number: 11400032000