Karen Y Johnson Davidson County
Batch# 179195 DEEDTRS
12/31/2018 12:13:17 PM 4 pgs
Fees: $23.00 Taxes: $1,268.65
20181231-0126453

THIS INSTRUMENT PREPARED BY:
Adams and Reese LLP (CWC)
424 Church Street, Suite 2700
Nashville, TN 37219

ADDRESS NEW OWNER:
Ameris Bank
PO Box 71748
Albany, GA 31708

SEND TAX BILL TO:
Same

MAP-PARCEL
136-11-0-021.00

SUCCESSOR TRUSTEE'S DEED

This Successor Trustee's Deed is made and entered into on this the 28th day of December, 2018, by **CHARLES W. COOK, III, SUCCESSOR TRUSTEE** ("Successor Trustee").

WHEREAS, by Deed of Trust dated June 26, 2009, of record as Instrument No. 20090702-0061929, Register's Office for Davidson County, Tennessee, via that Assignment of Deed of Trust, Security Agreement, Promissory Note, Guaranty and Loan Agreement dated October 14, 2011, of record as Instrument No. 20111025-0082896, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **APM, L.L.C.,** a Tennessee limited liability company (herein sometimes "Debtor"), conveyed to **JOSEPH B. PITT, JR., TRUSTEE**, for the benefit of **AMERIS BANK,** the current beneficiary under the Deed of Trust ("Lender"), the Property (as hereinafter defined), to secure payment to Lender of a certain indebtedness described in the Deed of Trust and as evidenced by that certain Promissory Note (the "Note") in the original sum of Three Hundred Seven Thousand and No/100 Dollars ($307,000.00) (the "Indebtedness"); and

WHEREAS, default was made in the payment of the Indebtedness described in the Deed of Trust and Note, and following such default Lender accelerated the Indebtedness and appointed Charles W. Cook, III as Successor Trustee in instrument of record as Instrument No. 20180619-0059098, Register's Office for Davidson County, Tennessee, and further directed said Successor Trustee to advertise and sell the Property conveyed by said Deed of Trust in compliance with the provisions thereof; and

WHEREAS, as of December 28, 2018, at 8:00 a.m., there were no federal tax liens of record against the Debtor in the Register's Office for Davidson County, Tennessee; and

WHEREAS, as of December 28, 2018, at 8:00 a.m., there were no state tax liens of record against the Debtor in the Register's Office for Davidson County, Tennessee; and

WHEREAS, said Successor Trustee caused notice to be published in *The Ledger*, a newspaper published in Davidson County, Tennessee, that the Property would be sold at 11:00 am on Friday, December 28, 2018 at the Davidson County Courthouse door where foreclosure sales are customarily held, 1 Public Square, Nashville, Davidson County, Tennessee (the

"Foreclosure Notice"), such Foreclosure Notice appearing in said paper on November 23, 2018, November 30, 2018, and December 7, 2018; and

WHEREAS, said Successor Trustee further sent a copy of the Foreclosure Notice to APM, L.L.C., and following the appearance of the Foreclosure Notice in said newspaper, the defaults under the Deed of Trust and Note were not cured; and

WHEREAS, Charles W. Cook, III, Successor Trustee, at the time, place and date announced in the Foreclosure Notice, offered the Property for sale, and after opening the floor for competitive bids, sold the Property to **Ameris Bank**, a National Bank formed in Georgia, at the price of Three Hundred Forty Two Thousand Eight Hundred Seventy Nine and 16/100 Dollars ($342,879.16), this being the highest, last and best bid.

NOW, THEREFORE, I, Charles W. Cook, III, Successor Trustee as aforesaid, in consideration of the compliance with the terms of said bid to me in hand paid, and other consideration, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **Ameris Bank,** a National Bank formed in Georgia**,** its successors and/or assigns (the "Grantee"), all of my right, title and interest in and to the following described real estate which has been advertised and sold as hereinabove recited, located in Davidson County, Tennessee (collectively, the "Property"), and more particularly described as follows, to wit:

> A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT: BEING LOT NO. 2 ON THE FINAL PLAT OF PRIEST LAKE PARK, SECTION SIX, OF RECORD IN PLAT BOOK 6900, PAGE 463, AS AMENDED IN PLAT BOOK 6900, PAGE 636, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.
>
> More commonly known as: **2838 OLD SMITH SPRINGS ROAD, NASHVILLE, TN 37217**
>
> Being the same Property conveyed to Debtor by Limited Warranty Deed, of record as Instrument No. 20071207-0141800, Register's Office for Davidson County, Tennessee.

TOGETHER WITH:

All improvements now or hereafter located on the property, and all easements, rights, appurtenances, rents and profits now or hereafter existing in connection with the property or derived therefrom, and all fixtures now or hereafter attached to the property, all of which shall be deemed to be part of the property covered by this Deed of Trust and shall be hereinafter referred to collectively as the "Property".

Together with all of Debtor's present and future right, title and interest and claim to the Property.

To have and to hold the Property with the appurtenances, estate, title and interest thereto belonging to the Grantee, its successors and assigns forever.

Said property is conveyed subject to such encumbrances, easements, restrictions, liens, taxes, mortgages and other matters of record or otherwise as may affect the same.

[Remainder of page intentionally left blank]

WITNESS the signature of the Successor Trustee on this the day and date first above written.

CHARLES W. COOK, III, Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared CHARLES W. COOK, III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Successor Trustee, and that he as such Successor Trustee being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing his name as Successor Trustee.

Witness my hand and seal, at office, this 28th day of December, 2018.

Notary Public

My Commission Expires:
3/3/20

VICKI A. JONES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $342,879.16.

Affiant

Sworn to and subscribed before me this
28th day of December, 2018.

Notary Public

My Commission Expires:
3/3/20

VICKI A. JONES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.