Karen Johnson Davidson County
Batch# 1055894 DEEDTRS
09/29/2023 01:25:01 PM 3 pgs
Fees: $18.00 Taxes: $1,232.10
20230929-0076728

PREPARED BY:
Padgett Law Group
5100 Poplar Avenue, Ste 2208
Memphis, TN 38137
TDP File No.: 23-004209-1

SUBSTITUTE TRUSTEE'S DEED

This instrument was made on this 7th day of September 2023, by and between Padgett Law Group, Substitute Trustee, and Property Fund 629 LLC.

WITNESSETH:

THAT, WHEREAS, on February 21, 2002, Billy E. Peacher and Regina M. Peacher, husband and wife, duly executed and acknowledged a Deed of Trust, recorded in Instrument Number 20020305-0027296, and modified in Instrument Number 20180529-0051116, and as revised by Attorney Affidavit in Instrument Nos. 20230518-0037505 and 20230608-0043767 ("Deed of Trust"), in the Register's Office for Davidson County, Tennessee, conveying to Cumberland Title Company, Trustee 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:

Tract No. 1:

Land in Davidson County, Tennessee, being part of Tract No. 2 of the unrecorded plan of Life and Casualty Insurance Company's property near Old Hickory, not of record, and being part of Tract No. 4 shown on a copy of a survey of the property of J.G. Reynolds, by Harvey Gee, Surveyor, dated February 12, 1947, and described according to said survey as follows:

Beginning at a point in the center of Old Hopewell Road, 15 feet north of the corner of Tracts 4 and 5 on said Harvey Gee Survey, being the northeast corner of the property conveyed to Dillard R. Jones and wife, by deed of record in Book 1472, Page 129, Register`s Office of said County; thence southwesterly, with Jones` line 146 feet, more or less, to a point, and south 42 degrees, 13` east 4 feet to a point in Jones` north line; thence northerly, 56 feet, more or less, to a point; thence easterly 150 feet, more or less, to the margin of Old Hopewell Road, thence with the margin of same 53 feet to the beginning.

Tract No. 2:

Land in Davidson County, Tennessee being part of Tract No. 2 on the unrecorded Plan of Life and Casualty Insurance Company`s Property near Old Hickory, and being part of Tract No.4 shown on a copy of a survey of the property J.G. Reynolds, by Harvey Gee, Surveyor, dated February 12, 1947, and described according to said survey as follows:

Beginning at a point in the northerly line of the property conveyed to J.G. Reynolds by deed of record in Book 1304, Page 179, Register`s Office for said County, which said point is 229 feet westerly from the centerline of Old Hopewell Road, said point being the northwest corner of the property conveyed to J.N. Foutch, Jr., et al by deed of record in Book 1855, Page 493, said Register`s Office; thence along the north line of said Reynold`s property south 63 degrees 13` west 305.6 feet to the corner of Tracts 3 and 4 on said survey; thence with the dividing line between said two tracts, south 42 degrees 06` east 284.5 feet to the corner of Tract 5 on said plan; thence along the dividing line between Tracts 4 and 5, north 42 degrees 13` east 274.5 feet to the southwest corner of the property conveyed to Earl Bennett and wife, by deed of record in Book 1787, Page 57, Register`s Office for said County; thence along Bennetts`

westerly line in a northerly direction 56 feet to the southerly line of the property conveyed to J.N. Foutch., Jr., et al; thence along Foutch`s southerly line south 77 degrees 5` west 36.7 feet to the southwest corner; thence north 30 degrees 39` west 107.1 feet to the point of beginning.

Being the same property conveyed to Billy E. Peacher and Regenia M. Peacher by deed from Harold Dean Williams and Sheila Louise Williams and Myra Williams of record in Book 9444, Page 245, Register`s Office for Davidson County.

Street Address: The street address of the property is believed to be 114 Pitts Avenue, Old Hickory, TN 37138, 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 the aforesaid Register's Office as Instrument No. 20230531-0040892; 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 August 11, 2023; August 18, 2023; and August 25, 2023.

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 7th day of September, 2023, at the hour of 11 o`clock AM, local time, at the Davidson County Historic 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 Property Fund 629 LLC, at a bid of $333,000.00, 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 Property Fund 629 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: **Renee Kammer**

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said state and county, personally appeared Renee Kammer 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 7th day of September 2023.

Notary Signature: _____

KEVIN MONROE STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMMISSION EXPIRES 12-21-2026

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is $333,000.00 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: _____

KEVIN MONROE STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMMISSION EXPIRES 12-21-2026

Responsible Taxpayer and Property Owner:

Property Fund 629 LLC
5133 Harding Pike, Ste B10 #185
Nashville, TN 37205

Map/Parcel Number: 053 12 0 056.00