

This instrument prepared by:  
W. Morris Kizer  
900 South Gay Street  
Suite 2300  
Knoxville, Tennessee 37902

Responsible Taxpayer and Property Owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUCCESSOR TRUSTEE'S DEED

This Instrument is made this \_\_\_ day of \_\_\_\_\_, 2009, by and between W. Morris Kizer, Successor Trustee, of Knox County, Tennessee ("First Party") and \_\_\_\_\_ ("Second Party").

WITNESSETH

WHEREAS, Martin R. Baker and wife, Darlene K. Baker made that certain Home Equity Revolving Line of Credit agreement, dated June 11, 2007, in favor of GreenBank, Lenoir City Branch, in the original principal amount not to exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) ("the Note"); and

WHEREAS, the Note and other indebtedness owed by Martin R. Baker and wife, Darlene K. Baker to GreenBank are secured by an Open End Deed of Trust ("the Deed of Trust"), dated June 11, 2007, and recorded in Book T931, page 409 in the Register's Office for Loudon County, Tennessee, wherein Kenneth Clark Hood is the trustee; and

WHEREAS, by Instrument dated October 27, 2008, and recorded in Book T997, page 569 in the Register's Office for Loudon County, Tennessee, W. Morris Kizer was appointed Successor Trustee, in the place and stead of Kenneth Clark Hood; and

WHEREAS, Martin R. Baker and Darlene K. Baker are in default in the performance of the covenants, terms and conditions of the Note, and GreenBank has declared the Note and all other indebtedness related thereto immediately due and payable;

WHEREAS, as a result of such default, GreenBank instructed First Party to foreclose the Deed of Trust in accordance with its terms and conditions and sell the real property described therein; and

WHEREAS, First Party did advertise the sale of said real estate herein described, as provided in the Deed of Trust, in a local newspaper published in Loudon County, Tennessee, to-wit, the News-Herald, on December 15, 2008, December 22, 2008 and December 29, 2008, giving the time, place and terms of said sale; and

WHEREAS, on January 17, 2009, at 10:30 a.m. local time, the sale was convened at 746 Twin Coves Circle, Lenoir City, Tennessee, this being the time and place fixed in the advertised Notice of Sale, and the hereinafter described real estate was offered for sale at public auction by the Successor Trustee's agent, Furrow Auction Company, FOR CASH to the last, highest and best bidder, free of all rights to homestead, curtesy, dower, appraisement, the marshalling of liens and assets relating to the real property, and equitable and statutory rights of redemption, all of which are expressly waived in the Deed of Trust,

and being cried for a reasonable time, was finally sold to Second Party, at a bid price of \$ \_\_\_\_\_, Second Party being the highest and best bidder, which purchase price was paid to First Party;

NOW, THEREFORE, in consideration of the premises and the said purchase price bid and paid, First Party, as Successor Trustee, does hereby grant, bargain, sell, transfer, and convey unto Second Party the real estate hereinafter 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, the following:

SITUATED in District No. Two (2) of Loudon County, Tennessee, and without the corporate limits of any municipality, and being known and designated as Lot 22, TWIN COVE ESTATE, as shown on the plat of the same of record in Plat Cabinet B, Slide 2 (formerly Map Book 2, page 109), Register's Office, Loudon County, Tennessee, to which plat specific reference is hereby made for a more particular description.

THERE IS ALSO CONVEYED HEREWITH all the right, title and interest of Allen R. McCowan and wife, Minnie I. McCowan in and to the part of Fort Loudon Reservoir bounded on the East by the West line of Lot 22 and on the North by the North line of Lot 22 extended and on the South by the South line of Lot 22 extended and on the West by the centerline or thread of the embayment of said Reservoir to the West.

THIS CONVEYANCE IS MADE TOGETHER WITH AND SUBJECT TO a Flowage Easement granted USA on that part of subject property below the 820 foot contour line, as shown in Deed Book 43, page 140, Register's Office, Loudon County, Tennessee, said Easement being Fort Loudon Reservoir Tract No. FL 303-F as shown on TVA Map No. 10MS421KE Fort Loudon Reservoir.

BEING the same property conveyed to Martin R. Baker and wife, Darlene K. Baker from Allen R. McCowan and wife, Minnie I. McCowan by a Warranty Deed dated April 28, 1999 of record in Deed Book 245, page 483, in the Register's Office, Loudon County, Tennessee.

THIS conveyance is made subject to all applicable easements, restrictions, and building setback liens of record in Loudon County, Tennessee.

This sale is subject to all matters shown on any applicable recorded plat; ad valorem taxes (whether delinquent, for the current year [regardless of whether or not presently payable], or for subsequent years); any other taxes of any nature, whether current or delinquent; any delinquent, current or future assessments; any restrictions, reservations, covenants, restrictive covenants, easements, conditions, covenants, rights-of-way or setback lines that may be applicable; any statutory rights of redemption of any governmental entity or agency; any prior liens or encumbrances; any matter that an accurate survey of the premises might disclose; and any other matter disclosed in the public records.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, First Party has hereunto set his hand and seal the day and year first above written.

\_\_\_\_\_  
W. Morris Kizer, Successor Trustee

STATE OF TENNESSEE  
COUNTY OF KNOX

Personally appeared before me, a Notary Public in and for the County and State aforesaid, W. Morris Kizer, Successor Trustee, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand at office this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is \$ \_\_\_\_\_ at a fair and voluntary sale.

\_\_\_\_\_  
Affiant

Sworn to and subscribed before me,  
this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_