

Deed Book 66791 Page 637
Filed and Recorded 05/09/2023 02:18:00 PM
2023-0140167
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, GA
Participant IDs: 0013912291
7067927936

RECORD AND RETURN TO:

Chloe S. Reid, Esq.
McLain & Merritt, P.C.
3445 Peachtree Road, N.E., Suite 500
Atlanta, GA 30326
Parcel ID# 14 015700140576 and 14 015700140584

CROSS-REFERENCE:

Deed Book 64840, Page 6,
Deed Book 66418, Page 321,
Fulton County, GA records

STATE OF _____
COUNTY OF _____

DEED UNDER POWER

THIS INDENTURE made this 2nd day of May, 2023, by and between **1720 WEST WASHINGTON AVE., LLC** (hereinafter referred to as "Grantor"), acting by and through its duly appointed attorney-in-fact, **DMM LENDERS, LLC**, as party of the first part (hereinafter referred to as "Lender"), and **1814 STATE HIGHWAY LLC, HIGHWAY FOOD STOP LLC, and SUSHEEL DUA**, as parties of the second part (hereinafter collectively referred to as "Purchaser");

WITNESSETH:

WHEREAS, said Grantor executed and delivered to Southern Resource Partners III, LLC a Security Deed dated October 28, 2021, recorded in Deed Book 64840, Page 6, Office of the Clerk of Superior Court, Fulton County, Georgia Records, as assigned to DMM LENDERS, LLC via that certain Assignment of Deed to Secure Debt and Assignment of Rents and Other Loan Documents, dated December 20, 2022, recorded in Deed Book 66418, Page 321, aforesaid records (the "Security Deed"), conveying the after-described property to secure the payment of a promissory note in the original principal amount of \$800,000.00 of even date therewith (the "Note") as described therein; and

WHEREAS, default in the payment of the amounts due under said Note having occurred, and whereas by reason of said default, Lender elected, pursuant to the terms of said Security Deed and Note, to declare the entire principal and interest immediately due and payable; and

WHEREAS, said indebtedness still being in default, Lender, according to the terms of said Security Deed, did advertise said property for sale once a week for four (4) consecutive weeks in *The Daily Report*, published at Atlanta, County of Fulton, Georgia, and being the official organ for the publication of legal advertisements for said county, said dates of publication being 4/3/2023, 4/10/2023, 4/17/2023, and 4/24/2023; and

WHEREAS, pursuant to said advertisements, on May 2, 2023, within the legal hours of sale, at the usual place for conducting foreclosure sales before the doors of the Fulton County Courthouse, Lender offered said property for sale at public outcry to the highest bidder for cash, when and where Purchaser made the highest and best bid, and said property was therefore sold to Purchaser, for a bid of Eight Hundred Eighty Eight Thousand Eight Hundred Nineteen and 41/100 Dollars (\$888,819.41).

NOW, THEREFORE, in consideration of the premises and said sum of money, and by virtue of and in exercise of the power of sale contained in the aforesaid Security Deed, Grantor, by and through its duly appointed agent and attorney-in-fact, Lender, as party of the first part, has bargained, sold, granted and conveyed, and by these presents does hereby bargain, sell, grant and convey to Purchaser its successors and assigns, the following tract or parcel of land:

All that tract or parcel of land lying and being in Land Lot 157 of the 14th District of Fulton County, Georgia, and being Lots 1, 2, 3, 4, 5, 6, and 7 of Block B of the Mrs. Annie E. Taylor property, as per plat recorded in Plat Book 4, page 21, in the office of the Clerk of the Superior Court of Fulton County, Georgia, said plat being made a part hereof by reference.

ALSO:

All that tract or parcel of land lying and being in Land Lot 157 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the southeast corner of W. Washington Avenue and Park Street; running thence easterly along the south side of W. Washington Avenue seventy-five (75) feet to a point; running thence south two hundred (200) feet to a point; running thence west seventy-five (75) feet to a point on the east side of Park Street; running thence north along the east side of Park Street two hundred (200) feet to a point and the **POINT OF BEGINNING**.

TOGETHER WITH all and singular the rights, members and appurtenances thereto appertaining; also, all the estate, right, title, interest, claim or demand of the said Grantor, its successors and assigns, legal, equitable or otherwise whatsoever, in and to the same.

TO HAVE AND TO HOLD the said premises, and every part thereof unto Purchaser, its successors and assigns, to its own proper use, benefit and behoof in fee simple, in as full and ample manner as the said Grantor, its heirs, successors and assigns, did hold and enjoy the same.

This conveyance is made subject to any outstanding ad valorem taxes, any matters which might be disclosed by an accurate survey and inspection of the subject property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record.


The notice of foreclosure sale as required by Georgia law in the form of a copy of the Notice of Sale Under Power submitted to the publisher was provided to Borrower at least thirty (30) days prior to the foreclosure sale date.


IIN WITNESS WHEREOF, DMM LENDERS, LLC, as agent and attorney-in-fact for Grantor, has hereunto affixed its hand and seal, the day and year first above written.


Signed, sealed and delivered in the presence of:

1720 WEST WASHINGTON AVE., LLC
by and through its attorney-in-fact,
DMM LENDERS, LLC


Unofficial Witness

By: 
Name: David Weinstein
Title: Manager


Notary Public
My Commission expires
[Notary Seal]


SADHANA BHANDARI
Notary Public, Commonwealth of Massachusetts
My Commission Expires October 13, 2028

[Bank Seal]