0417378

IDENTIF. ↑ REFERENCE

THIS INSTRUMENT PREPARED BY AND RETURN TO:
Ballin, Ballin & Fishman, P.C.
Randall J. Fishman, Attorney at Law
200 Jefferson Avenue, Suite 1250
Memphis, Tennessee 38103
(901) 525-6278

98 MAR 27 AM 8:37

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

BOOK 10856 PG 446

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by deed of trust dated the 3rd day of November, 1994, and recorded in the Register's Office of Davidson County, Tennessee, under Book 9511, Page 858, Joyce A. Emerton and Michele Emerton, Tenants in Common, conveyed to Thomas Staten, Sumner Co. or Brenda Archbold, Sumner Co., as Trustees, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, Randall J. Fishman was appointed SUBSTITUTE TRUSTEE by instrument of record in the Register's Office of Davidson County, Tennessee, under Book 10787, Page 303, and,

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed and the holder of said deed of trust requested the undersigned to advertise and sell said property under the terms and provisions of said deed of trust, and,

WHEREAS, in pursuance of said request the said property was, by the undersigned, advertised for sale in conformity with the terms and provisions of said deed of trust, by which advertisement the said sale was appointed to be held on the 19th day of March, 1998, at the Court House of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Banker's Trust Company of California, NA, as Trustee for Vendee Mortgage Trust 1995-1 being the highest, best and last bidder, became the purchaser of said property at and for the sum of $16,000.00, and,

WHEREAS, the said purchaser being the owner of the debt for which said property was sold, has complied with the terms of sale by paying into the hands of the undersigned SUBSTITUTE TRUSTEE the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said trust deed;

NOW, THEREFORE, in consideration of the premises and of the payment by the said Banker's Trust Company of California, NA as Trustee for Vendee Mortgage Trust 1995-1 as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned, Randall J. Fishman, as SUBSTITUTE TRUSTEE, does hereby grant, bargain, sell and convey unto the said Banker's Trust Company of California, NA as Trustee for Vendee Mortgage Trust 1995-1, as aforesaid, and unto its successors and assigns, the property above-mentioned and now further described as situated in the County of Davidson, State of Tennessee, more particularly described as follows, to-wit:

> Lot No. 89, on the Plan of Woodycrest, Section 1, as shown of record in book 1835, Page 25, in the Register's Office of Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

This being the same property as conveyed to Joyce A. Emerton and Michele Emerton, Tenants in Common, by Warranty Deed of record at Book 9511, Page 855, in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD, the property described above, together

with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said Banker's Trust Company of California, NA as Trustee for Vendee Mortgage Trust 1995-1 as aforesaid, and unto its successors and assigns forever, to whom the said Randall J. Fishman, as SUBSTITUTE TRUSTEE, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through, or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, Randall J. Fishman, SUBSTITUTE TRUSTEE, has hereunto set his hand this 19th day of March, 1998.

Randall J. Fishman
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this 19th day of March, 1998, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Randall J. Fishman, SUBSTITUTE TRUSTEE, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

Notary Public

NOTARY PUBLIC AT LARGE

My Commission Expires:

6-5-2001

STATE OF TENNESSEE)
COUNTY OF SHELBY)

I, or we, hereby swear or affirm that to the best of affiants knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $16,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED AND SWORN to before me this 19th day of March, 1998.

Notary Public

NOTARY PUBLIC AT LARGE

My Commission Expires:

6-5-2001

Property Address: 2077 Whitney Avenue, Nashville, TN 37210

Name and Address of Property Owner and Mail Tax Notices to: Banker's Trust Company of California, NA as Trustee for Vendee Mortgage Truste 1995-1 c/o Nationsbanc Mortgage Corp, PO Box 35140, Louisville, KY 40232

Tax I.D.#: 106-13-12

File No.: RJF 9801-2813/Emerton

1397 03/31/1998 03:01:01 03CHECK 68.20

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____ BOOK 10856 PG 448

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

CAMT 16000.00
CON TX 59.20
PRFEE 1.00
MISC 8.00
TOTAL 68.20
CHECK 68.20

03/27/98 01 08:38 0001 1397

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

04 17378
IDENTIF. # REFERENCE

98 MAR 27 AM 8:37

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No.1271679