THIS INSTRUMENT PREPARED
BY & RETURN TO:
Clifton E. Darnell, Attorney
Morris, Schneider & Prior, L.L.C.
707 Adams Avenue
Memphis, TN 38105

BOOK 11693 PAGE 350

96:3 MY 7-1999

0064007

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 13, 1997, and recorded in the Register's Office of Davidson County, Tennessee, at Book 10401, Page 440, ("Deed of Trust"), Dennis K. Hailey and Jane R. Hailey conveyed to C. Thomas Cates, as Trustee, 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, the beneficial interest of said Deed of Trust was last transferred and assigned to Texas Commerce Bank, National Association, as Custodian; and

WHEREAS, **Chase Bank of Texas, formerly known as Texas Commerce Bank NA; as Custodian,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Book 11499, Page 830**, in the Register's Office of Davidson County, Tennessee; 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, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on August 19, August 26, & September 2, 1999, in THE NASHVILLE RECORD, by which advertisement the sale was held on September 23, 1999, at the Main South entrance in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Rick Piliponis, Esq., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Chase Bank of Texas, formerly known as Texas Commerce Bank NA; as Custodian**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 148,982.87; and

WHEREAS, the owner and holder of said 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 Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by Chase Bank of Texas, formerly known as Texas Commerce Bank NA; as Custodian as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Clifton E. Darnell**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Chase Bank of Texas, formerly known as Texas Commerce Bank NA; as Custodian,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being Lot No. 323 on the Plan of Brook Meade, Section 9, of record in Book 2331, Pages 34 and 35, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

The last recorded Warranty Deed was filed of record at Book 6587, Page 231, 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 **Chase Bank of Texas, formerly known as Texas Commerce Bank NA; as Custodian,** its successors and assigns forever, to whom the said, **Clifton E. Darnell**, 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, **Clifton E. Darnell**, Substitute Trustee, has hereunto set his hand, this 23rd day of September, 1999.

**Clifton E. Darnell**, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 23rd day of September, 1999, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Clifton E. Darnell**, 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

My Commission Expires:_____

TRACY L. SHARP NOTARY PUBLIC LARGE SHELBY CO., TN

**********

STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 148,982.87, 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 ON THIS 23rd DAY OF SEPTEMBER 1999.

Notary Public

My Commission Expires: _____

TRACY L. SHARP NOTARY PUBLIC LARGE SHELBY CO., TN

**********

**MSP No.: 035.992456TN (Hailey)**
**Lender Loan No.: 10008629**
**Property Address: 821 Clematis Drive, Nashville, TN 37205**
**Tax Parcel ID No.: 102-14; 63.00**

Mail Tax Notices To and Property Owner:
Meritech Mortgage Services, Inc.
6500 West Freeway, Suite 400
Fort Worth, TX 76111

# OFFICIAL RECEIPT

**BILL GARRETT**
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

| | | | | | |
|---|---|---|---|---|---|
| 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 | CFEE | COMPUTER FEE | PRFEE | PROBATE FEE |

BOOK 11693 PAGE 852

06404007

...NCE

93 OCT -7 PM 3:46

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

**No.** 1524990