THIS INSTRUMENT PREPARED BY: ~~AND RETURN TO~~
LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
6750 Lenox Center Court, Suite 202
MEMPHIS, TN 38115

Return to:
Baker Donelson Bearman & Caldwell
John M. Bryant, Jr.
Box 23

NAME: Eckhardt Realty Corp., As Trustee For The Marie Moseley Land Trust
S&K#: 99-1570
LOAN#: 11544



Instr:200003220029332 Page: 1 OF 3
REC'D FOR REC 03/22/2000 3:51:32PM
RECORD FEE: $15.00
M. TAX: $0.00 T. TAX: $389.61

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 11, 1997, recorded in Book 10419, Page 356, Register's Office of DAVIDSON County, Tennessee, Marie A. Moseley, a single person, conveyed to Lawyers Title Company, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Book 11616, Page 701, in the Register's Office of DAVIDSON County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary 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 by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on December 1, 1999, at 10:00 am, at the Davidson County Courthouse in Nashville, Tennessee, at which time it was adjourned to December 15, 1999, at the DAVIDSON County Courthouse in Nashville, Tennessee, at 10:00 am; and,

WHEREAS, at the time and place mentioned to which the sale was adjourned, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to NovaStar Mortgage, Inc., whose address is P.O. Box 2900, Shawnee Mission, KS 66201, at and for the sum of $105,300.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by NovaStar Mortgage, Inc., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Joe M. Kirsch, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said NovaStar Mortgage, Inc., its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of DAVIDSON, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Being Lot No. 5A49, on the Plan of Glengarry Park, Section "Five-A", as shown on plat of record in Plat Book 3300, Page 58, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This legal description is identical with that in Deed recorded in Book 10419, Page 356, Register's Office of DAVIDSON County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 10419, Page 356, Register's Office of DAVIDSON County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Book 11002, Page 574, Register's Office for DAVIDSON County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines, easements and any other matter of record.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto NovaStar Mortgage, Inc., its successors and assigns, in fee simple forever, to whom the said Joe M. Kirsch, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Joe M. Kirsch, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Joe M. Kirsch, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 17 day of December, 1999, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Joe M. Kirsch, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at Office the 17 day of December, 1999.

ELIZABETH I. ADKINS NOTARY PUBLIC AT LARGE MY COMM. EXP. 9-18-2002 SHELBY CO. TN

Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $ 105,300.00, 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 on the 17 day of December 1999.

ELIZABETH I. ADKINS NOTARY PUBLIC AT LARGE MY COMM. EXP. 9-18-2002 SHELBY CO. TN

Notary Public

PROPERTY ADDRESS: 505 DUNAILIE DRIVE, , NASHVILLE, TN, 37217

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
NovaStar Mortgage, Inc.
P.O. Box 2900
Shawnee Mission, KS 66201

S & K #:99-1570
Map & Parcel - 120 9 85