FILE NO.: 066.002889TN\sak
LOAN NO.: 2080166\CONV

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Joel A. Freedman, Attorney
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Suite 8B
Atlanta, GA 30341

Instr:200007100068121 Page: 1 OF 2
REC'D FOR REC 07/10/2000 12:37:09PM
RECORD FEE: $11.00
M. TAX: $0.00 T. TAX: $66.61

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 31, 1998, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument No. 11108, Page 205, ("Deed of Trust"), Carolyn Tyler conveyed to Fidelity Mortgage Trustee Service, 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 EMC Mortgage Corporation; and

WHEREAS, **EMC Mortgage Corporation,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200006010054679**, 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 5/25/00, 6/1/00, 6/8/00, in THE NASHVILLE RECORD, by which advertisement the sale was held on June 15, 2000, 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 **EMC Mortgage Corporation**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 18,002.90; 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 EMC Mortgage Corporation 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 **EMC Mortgage Corporation,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

A certain tract or parcel of land in Davidson County, Tennessee, described as follow: to-wit; Land in Davidson County, Tennessee, being the West 129 feet of Lot No. 70 on the map of the Benedict Land Company's Subdivision of the Lindsey Tract, of record in Book 332, page 40 Register's Office for Davidson County, Tennessee. Said part of said lot fronts 56.5 feet, more or less on the easterly side of North Second Street and runs back between parallel lines along the South margin of Richardson Street 129 feet to a dead line. Being the same property conveyed to Carolyn Tyler by Warranty Deed from Leroy Goins Jr. dated August 31, 1998 and recorded Sept 11, 1998 in Book 11108, page 201, Register's Office for Davidson County, Tennessee.

The last recorded Warranty Deed was filed of record at Book 11108, Page 221, 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 **EMC Mortgage Corporation,** 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 15th day of June, 2000.

Clifton E. Darnell, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 15th day of June, 2000, 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: 4-12-03

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

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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 $ 18,002.90, 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 15th DAY OF JUNE 2000.

Notary Public

My Commission Expires: 4-12-03

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

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MSP No.: 066.002889TN (Tyler)
Lender Loan No.: 2080166
Property Address: 1408 10th Avenue, North, Nashville, TN 37208
Tax Parcel ID No.: 81-12;391.00

Mail Tax Notices To and Property Owner:
EMC Mortgage Corporation
909 Hidden Ridge Drive, Suite 200
Irving, TX 75038