THIS INSTRUMENT PREPARED BY:
Marty M. Stone
Duncan & Mosley
701 Market Street, Suite 1000
Chattanooga, Tennessee 37402

GRANTEE: Western United Life Assurance Company

ADDRESS 601 West 1st Ave
P.O. Box 113400
Spokane, Washington 99201

Davidson County DEEDTRS
Recvd: 09/13/00 15:15 3pgs
Fees:15.00 Taxes:505.90
20000913-0091187

SEND TAX NOTICE TO: Same

MAP GROUP AND PARCEL NUMBER: Map 149-10, Parcel 3

TRUSTEE'S DEED

WHEREAS, a Deed of Trust was executed by Elton G. Allen and Cindy M. Allen to Title Enterprises, LLC, Trustee, for the use and benefit of First Greensboro Capital Corp. on April 28, 1999 and recorded in **Book 11461, Page 281** in the Register's Office of Davidson County, Tennessee conveying the hereinafter described real property in trust to secure payment of a promissory note, and said promissory note being described therein and payable to the order of First Greensboro Capital Corp., and said note assigned to Western United Life Assurance Company on June 15, 1999, said assignment being recorded in **Book 11639, Page 950** in the Register's Office of Davidson County, Tennessee, and

WHEREAS, under the terms of said Deed of Trust, Marty M. Stone was appointed substitute trustee on June 6, 2000, which instrument is of record in **Instrument No. 200006190060521**, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in payment of installments maturing on the above described promissory note and in performance of the covenants contained in the Deed of Trust by reason of which the entire balance owing thereon was declared due and payable, the default being made in payment thereof, and such default continuing; and

WHEREAS, by virtue of the power and authority vested in him as substitute trustee, the said Marty M. Stone, at the request of the owner of said note, and for the purpose of effecting payment in satisfaction thereof, principal and interest, attorney's fees and costs of sale, pursuant to the advertisement published in *The Nashville Record*, a newspaper published and of general circulation in Davidson County, Tennessee, in its issues of July 6, 2000, July 13, 2000, July 20, 2000, July 27, 2000 and August 10, 2000, offered for sale and sold on August 17, 2000 at 10:00 A.M., at public outcry to the highest and best bidder for cash at the courthouse in the City of Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower and

homestead, the hereinafter described real estate, at which sale, Western United Life Assurance Company, being the highest and best bidder, and for the sum of **ONE HUNDRED THIRTY SEVEN THOUSAND DOLLARS AND 00/100 CENTS ($137,000.00)** became the purchaser thereof.

NOW THEREFORE, Marty M. Stone, substitute trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer and convey unto Western United Life Assurance Company the following described property located at 5000 Pebble Creek Drive, Antioch, Davidson County, Tennessee, and more particularly described as follows:

> A certain tract or parcel of land in Davidson County, Tennessee, described as follows, to-wit:
>
> Being Lot No. 65 on the Plan of Pebble Creek Section 5 as of record in Plat Book 5210, page 306, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.
>
> Being the same property conveyed to Elton G. Allen and wife, Cindy M. Allen, by Quitclaim Deed from Elton G. Allen and wife, Cindy M. Allen, and Gene Hayward, dated November 24, 1998, and recorded November 24, 1998, in Book 11219, page 840, in the Register's Office for Davidson County, Tennessee.

Subject to all unpaid taxes and all other restrictions, easements and encumbrances of record.

TO HAVE AND TO HOLD the said described real estate unto Western United Life Assurance Company, its successors and assigns forever in fee simple.

Said Deed of Trust recites title as unencumbered, but sale was advertised and made as trustee only, without covenants or warranties of title, subject to any unpaid taxes and assessments owing on said property, and this conveyance is made accordingly.

IN WITNESS WHEREOF, Marty M. Stone, substitute trustee, has caused this instrument to be executed on this the 18th day of August, 2000.

MARTY M. STONE, Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF HAMILTON)

Personally appeared before me, notary public of said county, MARTY M. STONE, the within named bargainor with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this the 18th day of August, 2000.

Barbara L Frazier
Notary Public

My Commission Expires: My Commission Expires April 7, 2004

I swear that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$137,000.00** which amount is equal to or greater than the amount which the property transferred would commend at a fair and voluntary sale.

Marty M Stone
AFFIANT

Sworn to before me this the
28 day of August, 2000.

NOTARY PUBLIC
STATE OF WASHINGTON
JANICE M. DEGNAN
My Appointment Expires February 2, 2002

Janice M Degnan
Notary Public

My commission expires: 2/2/02