This Instrument Prepared By:

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Davidson County DEEDTRS
Recvd: 11/16/00 16:19 2pgs
Fees:11.00 Taxes:92.50
20001116-0113827

SUBSTITUTE TRUSTEE'S DEED

Address New Owner(s) As Follows: Send Tax Bills To: Map-Parcel Nos.
First Tennessee Bank, N.A. Map 071-04-0
607 Market Street, Suite 700 Same Parcel 022.00
Knoxville, TN 37902

I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $25,000.00.

David M Smythe
Affiant

Subscribed and sworn to before me, this 15th day of November, 2000.

Elizabeth M. Amos
Notary Public

My Commission Expires: 11-30-2002

WHEREAS, by Deed of Trust dated September 30, 1998, and recorded in Book 11155, Page 826, Register's office for Davidson County, Tennessee, James R. Capps, unmarried, conveyed to Terry Renoux, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument recorded in Instrument No. 20000922-0094383, said Register's office; 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 of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Deed of Trust, and said advertisement appeared in the Nashville Record on October 12, 2000, October 19, 2000, and October 26, 2000; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 15th day of November, 2000, at 12:00 o'clock P.M. at the south front door of the Davidson County Courthouse, Nashville, 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, First Tennessee Bank, N.A., being the highest and best bidder became the purchaser of said property at and for the sum of Twenty-Five Thousand and no/100ths Dollars ($25,000.00).

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute Trustee, does hereby grant, bargain, sell, transfer, and convey unto First Tennessee Bank, N.A. the following real estate:

Being Lot No. 223 on the plan of Joywood Heights, Section II, of record in Plat Book 1130, Page 92, Register's Office for Davidson County, Tennessee, to which plan reference is here made for a more complete and accurate description of said lot.

Being the same property conveyed to James R. Capps by Deed of record in Book 7964, Page 728, said Register's office.

to have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in fee simple, forever and free from all right of homestead, equity of redemption, statutory right of redemption and all other rights and exemptions of every kind including, but not limited to, any statutory right to an elective share in the property in the maker of said Deed of Trust, and all persons claiming through and under said maker.

UNDERSIGNED, as Substitute Trustee, does hereby transfer, assign, and set over unto First Tennessee Bank, N.A., its representatives, successors and assigns, all of the covenants or warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise. Undersigned makes no warranties as to condition, location or set back of improvements on the property. This conveyance is subject to such priority tax liens and prior encumbrances as may appear of record, as well as all ad valorem property taxes which may be of record or applicable to said property.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto set his hand and seal, this 15th day of November, 2000.

David M. Smythe
Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Elizabeth M. Aman, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted, (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 15th day of November, 2000.

Elizabeth M. Aman
Notary Public

My Commission Expires: 11-30-2002