This Instrument Prepared By:

Davidson County DEEDTRS
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Fees:11.00 Taxes:74.00
20001228-0126526

David M. Smythe
Suite 450 -Pilcher Building
144 Second Avenue, North
Nashville, TN 37201
(615) 255-4849

**SUBSTITUTE TRUSTEE'S DEED**

| Address New Owner(s) As Follows: | Send Tax Bills To: | Map-Parcel Nos. |
|---|---|---|
| First Tennessee Bank, N.A.<br>607 Market Street<br>Suite 700<br>Knoxville, TN 37902 | Same | Map No. 092-13-0<br>Parcel No. 411.00 |

I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $20,000.00.

Affiant

Subscribed and sworn to before me, this 21st day of December, 2000.

Notary Public

My Commission Expires: March 24, 2003

WHEREAS, by Deed of Trust dated December 22, 1999, and recorded in Instrument No. 199912300309400, Register's office for Davidson County, Tennessee, Mary Louise Martindale, the widow of Elijah Martindale, deceased, conveyed to Thomas F. Baker, IV, 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. 2001102-0109085, 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 November 16, 2000, November 23, 2000, and November 30, 2000; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 19th day of December, 2000, at 10:15 o'clock A.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 Thousand Dollars ($20,000.00).

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:

> Land in Davidson County, Tennesse, being lot No. 64 on the Map of Hortense Place, as of record in Book 161, Page 167, Register's Office for said County.
>
> Said Lot No. 64 fronts 50 feet on the easterly side of 33rd Avenue, North, formerly Baron Street, and extends back between parallel lines, 140 feet to an alley.
>
> Being the same property conveyed to Elijah Martindale and Gussie Beatrice Martindale by deed of record in Book 4557, Page 851, Register's Office for Davidson County, Tennessee. Mary Louise Martindale is the surviving spouse of Elijah Martindale, deceased.

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 homestead, dower, equitable right of redemption, statutory right of redemption, marital share and all other exemptions and redemptive rights of every kind 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 the 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 21st day of December, 2000.

David M. Smythe
Substitute Trustee

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, Shelby L. Orr, 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 21st day of December, 2000.

Notary Public

My Commission Expires: March 24, 2002