This instrument prepared by:
MICHAEL J. PHILBIN, P.C.
2021 Richard Jones Road, Suite 220
Nashville, Tennessee 37215-2860

Davidson County DEEDTRS
Recvd: 01/22/01 15:15 2pgs
Fees:11.00 Taxes:181.30
20010122-0006533

TRUSTEE'S DEED

Michael J. Philbin,
Successor Trustee

to

LIBERTY SAVINGS BANK, F.S.B.
P. O. Box 1000
Wilmington, OH 45177-1000
SEND TAX BILLS HERE
NO MORTGAGEE

Map #71-8
Parcel #319
Field Book #12DA42076

WHEREAS, Henry Davidson and wife, Sherry Davidson executed a deed of trust on the 9th day of December, 1997, which was recorded in Book 10754, Page 334, Register's Office, Davidson County, Tennessee, conveying to John M. Jordan, Trustee, the property hereinafter described to secure the payment of a promissory note payable to U. S. Trust Mortgage, Inc. referred to in said deed of trust; and

WHEREAS, the aforesaid note and deed of trust were assigned to Cityscape Corp. by instruments of record in Book 10754, Page 346 and Book 10983, Page 37, said Register's Office;

WHEREAS, the aforesaid note and deed of trust were assigned to State Street Bank and Trust Company, as Trustee for Bear Stearns Mortgage Capital Corporation by instrument of record in Book 11122, Page 261, said Register's Office; and

WHEREAS, the aforesaid note and deed of trust were assigned to Liberty Savings Bank, F.S.B. by instrument of record in Book 11122, Page 264, said Register's Office, the current owner and holder of the note and deed of trust.

WHEREAS, Michael J. Philbin, was appointed Successor-Trustee, said appointment being recorded by Instrument No. 200011080111157, Register's Office, Davidson County, Tennessee; and

WHEREAS, default occurred in the performance of the terms of said Promissory Note and/or the Deed of Trust securing the same and the noteholder in accordance with the provisions therein declared the entire indebtedness due and payable and requested the Trustee, Grantor herein, advertise and sell the property; and

WHEREAS, the sale was advertised as required by law and in accordance with the terms of the Deed of Trust, by giving twenty-one (21) days notice by three (3) successive weekly publications appearing in the Nashville Record, a newspaper published and circulated in Davidson County, Tennessee; and pursuant to the advertisement, the sale was held at the time and place advertised, to-wit: January 16, 2001 at 10:30 a.m. at the front door of the Courthouse in Nashville, Davidson, County, Tennessee, at public outcry in bar of 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, a statutory right to an elective share in the property, all of which were expressly relinquished and waived in the Deed of Trust; and

WHEREAS, Grantee herein, Liberty Savings Bank, F.S.B., being the highest and best bidder at said sale with a bid of Forty-Nine Thousand and No/100 Dollars ($49,000.00), was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and the further consideration of Forty-Nine Thousand and No/100 Dollars ($49,000.00), paid by Liberty Savings Bank, F.S.B., the receipt of which is hereby acknowledged, I, Michael J. Philbin, Successor-Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto Liberty Savings Bank, F.S.B., its successors and assigns, the

following tract of land situated in Davidson County, Tennessee, and more particularly described as follows, to-wit:

> Land in Davidson County, Tennessee being Lot No. 56 on the Plan of Joywood Subdivision, as of record in (plat) Book 974, Page 45 in the Register's Office for Davidson County, Tennessee (to which plat reference is hereby made for a more particular description).
>
> Being the same property conveyed to Henry Davidson and wife Sherry Davidson by Warranty Deed from Carl R. McWhirter and wife, Mary C. McWhirter of record in Book 10754, Page 331, Register's Office for Davidson County, Tennessee.
>
> This is improved property also known as 1803 Joy Circle, Nashville, Davidson County, TN 37207.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Liberty Savings Bank, F.S.B., its successors and assigns forever as fully and completely as the Successor-Trustee can or ought to convey under the power vested in the Trustee in said Deed of Trust and his appointment as Successor-Trustee; and said Successor-Trustee, Grantor herein, does hereby transfer and assign to Liberty Savings Bank, F.S.B., its successors and assigns all the warranties and covenants made in said Deed of Trust.

This conveyance is made subject to all matters shown on any applicable recorded Plan; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and subject to any matter that an accurate survey of the premises might disclose.

IN WITNESS WHEREOF, the said Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 16th day of January, 2001.

Michael J. Philbin, Trustee

Michael J. Philbin, Successor-Trustee

STATE OF TENNESSEE §
COUNTY OF DAVIDSON §

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Michael J. Philbin, Successor-Trustee, the 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 and official seal at Nashville, Tennessee, this 16th day of January, 2001.

DARLA HIXON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Darla Hixon
My Commission Expires
May 26, 2002

Darla Hixon

Notary Public

STATE OF TENNESSEE §
COUNTY OF DAVIDSON §

The actual consideration of value, whichever is greater for this transfer is $49,000.00.

Michael J. Philbin, Affiant

WITNESS my hand and official seal at Nashville, Tennessee, this 16th day of January, 2001.

DARLA HIXON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Darla Hixon
My Commission Expires
May 26, 2002

Darla Hixon

Notary Public