FILE NO.: 354.009979TN\adt
LOAN NO.: 100472950\CONV

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

Davidson County DEEDTRS
Recvd: 02/05/01 12:17 2pgs
Fees:11.00 Taxes:176.15
20010205-0010979

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 6, 1999, and recorded in the Register's Office of Davidson County, Tennessee, at Book No. 11580, Page 832, ("Deed of Trust"), Larry Ellerby and Deborah Ellerby conveyed to First Title Corporation, 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 Aurora Loan Services, Inc.; and

WHEREAS, **Aurora Loan Services, Inc.,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200101050001548**, 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 12/21/00, 12/28/00, 1/4/01, in THE NASHVILLE RECORD, by which advertisement the sale was held on January 25, 2001, 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 **Aurora Loan Services, Inc.**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 47,609.43; 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 Aurora Loan Services, Inc. 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 **Aurora Loan Services, Inc.,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being the westerly half of Lot 16 on the plan of subdivision of Lots 8, 9, 10 in Boyd McNairy's Addition to Nashville, as of record in Book 21, Page 93, Register's Office for Davidson County, Tennessee.

Said westerly half of Lots 16 fronts 50 feet on the northerly side of Merry, formerly Watkins Street, and runs back between parallel lines 194 feet, more or less, to an alley.

Being the same property conveyed to Timothy Michael Collier and wife, Betty Kathryn Collier by deed from George D. Mitchell and wife, Billie C. Mitchell, of record in Book 7771, Page 111, Register's Office for Davidson County, Tennessee.

The last recorded Warranty Deed was filed of record at Book No. 11580, Page 829, 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 **Aurora Loan Services, Inc.,** 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 25th day of January, 2001.

**Clifton E. Darnell**, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 25th day of January, 2001, 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

TRACY L. SHARP NOTARY PUBLIC AT LARGE MY COMM. EXP. 4-12-2003 SHELBY CO., TN

My Commission Expires: 4-12-03

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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 $ 47,609.43, 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 25TH DAY OF JANUARY 2001.

Notary Public

TRACY L. SHARP NOTARY PUBLIC AT LARGE MY COMM. EXP. 4-12-2003 SHELBY CO., TN

My Commission Expires: 4-12-03

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**MSP No.: 354.009979TN (Ellerby)**
**Lender Loan No.: 100472950**
**Property Address: 2408 Merry St, Nashville, TN 37208**
**Tax Parcel ID No.: 92-07;268.00**
Mail Tax Notices To and Property Owner:
Aurora Loan Services, Inc.
601 Fifth Avenue
Scottsbluff, NE 69361