FILE NO.: 348.004315TN\sak
LOAN NO.: 11647252\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: 02/12/01 11:00 9pgs
Fees:39.00 Taxes:943.50

20010212-0013317

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 16, 1998, and recorded in the Register's Office of Davidson County, Tennessee, at Book No. 11126, Page 301, ("Deed of Trust"), David Russell Bailey and Beverly Jean Bailey conveyed to Title Connections, Inc., 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 Bankers Trust Company of California, N.A., as Custodian or Trustee; and

WHEREAS, **Bankers Trust Company of California, N.A., as Custodian or Trustee,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200007030066025**, 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 12/28/00, 1/5/01, 1/12/01, 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, Federal Tax Lien(s) have been filed against the subject property in the Register's Office of Davidson County, Tennessee, at Book 11243, Page 373. Notice of the sale was given to the United States pursuant to 26 U.S.C. 7425(b) and a copy is attached hereto as Exhibit "A". The response of the United States is attached hereto as Exhibit "B". The property is subject to the right of the United States to redeem pursuant to 26 U.S.C. 7425(d)(1).

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 **Bankers Trust Company of California, N.A., as Custodian or Trustee,** being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 255,000.00; 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 Bankers Trust Company of California, N.A., as Custodian or Trustee 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 **Bankers Trust Company of California, N.A., as Custodian or Trustee,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being Lot No. 261 on the plan of Brandywine Pointe, Phase Four, Section Two, as of record in Plat Book 7900, Pages 587 & 588, Plat Register's' Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

The last recorded Warranty Deed was filed of record at Instrument No. 10639, Page 190, 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 **Bankers Trust Company of California, N.A., as Custodian or Trustee,** 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

My Commission Expires: 4-12-03

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

****

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 $ 255,000.00, 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

My Commission Expires: 4-12-03

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

****

MSP No.: 348.004315TN (Bailey)
Lender Loan No.: 11647252
Property Address: 401 Vadis Court, Old Hickory, TN 37138
Tax Parcel ID No.: 64-03-0-B ; 50.00

Mail Tax Notices To and Property Owner:
Advanta Mortgage Corporation
10790 Rancho Bernardo Road
San Diego, CA 92127

Exhibit "A"

MORRIS, SCHNEIDER & PRIOR, L.L.C.

ATTORNEYS AND COUNSELORS AT LAW
3300 N.E. EXPRESSWAY, BUILDING 8
ATLANTA, GA 30341
(770) 234-9181
FAX (770) 234-9192

December 21, 2000

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Copy Via Regular Mail

District Director
Internal Revenue Service
P.O. Box 1107
Nashville, TN 37203
ATTN: Patrick Bisson, Chief, Special Procedures Staff, MDP-148

Re: **Notice of Federal Tax Lien**
MSP File Number: **348.004315TN**
Lender Loan No.: **11647252**
Name Per Client: **David Russell Bailey and Beverly Jean Bailey**
Property Address: **401 Vadis Court**
Old Hickory, TN 37138

Dear Sir or Madam:

I am writing to advise you in accordance with 26 U.S.C. 7425 that Advanta Mortgage Corporation has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on January 25, 2001. Enclosed is a copy of the Substitute Trustee's Notice, which is being published in the Davidson County legal newspaper. The recording information for the Deed of Trust, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that one federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific federal tax lien(s) found; said lien(s) were recorded in Book 11243, Page 373.

We are not certain that the parties named in the federal tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security numbers of the individual(s) against whom the above-referenced lien(s) are filed are as follows: David R. & Beverly Bailey. A copy(ies) of the deed(s) conveying the subject property into said individual(s) is/are also enclosed.

The unpaid principal balance of the loan against the above-referenced property is approximately $313,915.49. Interest through the sale date is approximately 31736.86. Costs and attorneys' fees associated with the sale should be approximately $1,500.00.

Please return an acknowledged receipt of this notice on the enclosed duplicate letter

and return in the enclosed self-addressed stamped envelope. If you should have any questions about this matter, please do not hesitate to contact this office.

Sincerely,
MORRIS, SCHNEIDER & PRIOR, L.L.C.

Leigh M. Coakley

Enclosures
cc: Advanta Mortgage Corporation

SUBSTITUTE TRUSTEE'S SALE

WHEREAS, default having been made in the payment of the debts and obligations secured to be paid by that certain Deed of Trust executed on September 16, 1998, by David Russell Bailey and Beverly Jean Bailey to Title Connections, Inc., Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Instrument No. 11126, Page 301, ("Deed of Trust"); and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Bankers Trust Company of California, N.A., as Custodian or Trustee; and

WHEREAS, Bankers Trust Company of California, N.A., as Custodian or Trustee, the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Clifton E. Darnell, as Substitute Trustee by instrument filed for record in the Register's Office of Davidson County, Tennessee, with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and that the undersigned, Clifton E. Darnell, Substitute Trustee, or his duly appointed attorneys or agents, by virtue of the power and authority vested in him, will on **Thursday, January 25, 2001**, commencing at **12:00 PM** at the Main South entrance of the Davidson County Courthouse, Nashville, Tennessee, proceed to sell at public outcry to the highest and best bidder for cash, the following described property situated in Davidson County, Tennessee, to wit:

Being Lot No. 261 on the plan of Brandywine Pointe, Phase Four, Section Two, as of record in Plat Book 7900, Pages 587 & 588, Plat Register's' Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

PROPERTY ADDRESS: 401 Vadis Court, Old Hickory, TN 37138

CURRENT OWNER(S): David Russell Bailey and Beverly Jean Bailey

The sale of the above-described property shall be subject to all matters shown on any recorded plan; any unpaid taxes; any restrictive covenants, easements or set-back lines that may be applicable; any prior liens or encumbrances as well as any priority created by a fixture filing; and any matter that an accurate survey of the premises might disclose.

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF THE U.S. TREASURY,** pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in: Book 11243, Page 373. Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above.

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Clifton E. Darnell, Substitute Trustee
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341
(770) 234-9181 (ext. 176)
MSP File No.: 348.004315TN
Insertion Dates: 12/28/00, 1/5/01, 1/12/01

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR
PRINTING IN THIS DOCUMENT
UNSATISFACTORY WHEN RECEIVED

0491843
IDENTIF. # REFERENCE

This Instrument Was Prepared By: GOODRICH & PENNINGTON MORTGAGE FUND, INC.
Please Return to:
Title Connection, Inc.
100 Hazel path, Suite A
Hendersonville, TN 37075
WHEN RECORDED MAIL TO
GOODRICH & PENNINGTON MORTGAGE FUND, INC.

98 SEP 25 AM 10:36
REGISTER
DAVIDSON COUNTY, TN.

5900 STATE FARM DRIVE
ROHNERT PARK, CA 94928

Maximum principal indebtedness for Tennessee recording tax purposes is
THREE HUNDRED SIXTEEN THOUSAND AND 00/100X XXXXXXXXXXXXXXXXXXXXXXX Dollars.

DEED OF TRUST

LOAN NO.: CP 17089
ESCROW NO: TCH-UFM-98-2400

THIS DEED OF TRUST ("Security Instrument") is made on SEPTEMBER 16, 1998 . The grantor is DAVID RUSSELL BAILEY AND WIFE, BEVERLY JEAN BAILEY

BOOK 11126 PAGE 301

("Borrower"). The trustee is TITLE CONNECTIONS, INC.

("Trustee"). The beneficiary is
GOODRICH & PENNINGTON MORTGAGE FUND, INC., A DELAWARE CORPORATION

which is organized and existing under the laws of DELAWARE , and whose address is 5900 STATE FARM DRIVE, ROHNERT PARK, CA 94928 ("Lender"). Borrower owes Lender the principal sum of THREE HUNDRED SIXTEEN THOUSAND AND 00/100X X XXXXXXXXXXXXXXXXXXXXXXX Dollars (U.S. $ 316,000.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on OCTOBER 01, 2028 . This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in DAVIDSON County, Tennessee:

Being Lot No. 261 on the Plan of Brandywine Points, Phase Four, Section Two, as of record in Plat Book 7800, Pages 587 & 588, Plat Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being the same property conveyed to David Russel Bailey and wife, Beverly Jean Bailey by deed from Wanda Williams, married of record in Deed Book 10839, page 190, Register's Office for Davidson County, Tennessee.

ASSESSOR'S IDENTIFICATION NUMBER:
which has the address of 401 VADIS COURT , OLD HICKORY (Street, City),
Tennessee 37138 (Zip Code) ("Property Address");

OFF REC

OFF REC

EXHIBIT "A"

Being Lot No. 261 on the Plan of Brandywine Pointe, Phase Four, Section Two, as of record in Plat Book 7900, Pages 587 & 588, Plat Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being the same property conveyed to David Russel Bailey and wife, Beverly Joan Bailey by deed from Wanda Williams, married of record in Deed Book 10639, page 190, Register's Office for Davidson County, Tennessee.

5048 09/25 0161 02THEC: 13.10

Form 668 (Y) (c) (Rev. October 1993) 3569 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

0522620 IDENTIF. # REFERENCE

District: KENTUCKY-TENNESSEE

Serial Number: 629842907

For Optional Use by Recording Office

98 DEC -9 AM 8:33

REGISTER
DAVIDSON COUNTY, TN.

BOOK 11243 PAGE 373

7715 12/09 0101 03CHECK 10.00

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer: DAVID R. & BEVERLY BAILEY

Residence: 401 VADIS COURT
OLD HICKORY, TN 37138

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/1995	[redacted]-5611	05/20/1998	06/19/2008	3824.78
1040	12/31/1996	[redacted]-5611	04/13/1998	05/13/2008	11199.94
				Total	$ 15024.72

Place of Filing:
Register of Deeds
Davidson County
Nashville, TN 37201

This notice was prepared and signed at Nashville, TN, on this, the 30th day of November, 1998.

Signature: for DELANEY, TERRY

Title: Chief, SPR 62-01-8900

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668 (Y) (c) (Rev. 10/93)

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

Exhibit "B"

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

Compliance
Policy Program
Support

January 11, 2001

Morris, Schneider & Prior, LLC
3300 NE Expressway
Building 8
Atlanta, GA 30341

Dear Ms. Coakley:

This is to acknowledge receipt of your correspondence dated December 21, 2000 regarding David and Beverly Bailey, 401 Vadis Court, Old Hickory, TN 37138, TIN449-96-5611. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425(c) of the Internal Revenue Code of 1986.

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown in the heading of this letter.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487, by calling 1-800-TAX-FORM. A payment may be required to secure a release.

We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to us. If the sale is canceled, please provide a brief explanation as to the reason.

If you have any questions, please contact P. Jackson, badge number 62-09322, telephone number, (615)250-5749, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.

Sincerely,

P. Jackson

FOR William R. Walsh
Technical Support Group Manager

Enclosure