25.B

TRUSTEE'S DEED

State of Tennessee }
County of Davidson)

The actual consideration of value, whichever is greater, for this transfer is $35,000.00

Affiant

Sworn to and subscribed before me this 14 day of March, 2001.

NOTARY PUBLIC

My Commission expires 9/28/02.

This instrument prepared by:

Robert F. Spann, Attorney
Suite 400, 214 Second Avenue, North
Nashville, TN 37201

Davidson County DEEDTRS
Recvd: 03/14/01 10:15 2pgs
Fees:11.00 Taxes:203.50
20010314-0024338

ADDRESS-NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL NUMBER:
Joseph H. Rutherford and		
Melinda R. Fleming	**Same**	**Map 93-4**
1104 Stratton Avenue		**Parcel 17**
Nashville, TN 37206		

WHEREAS, on the 26 day of May, 2000, **Andrew Simmons** executed an Deed of Trust to **William D. Castleman, Trustee**, to secure a promissory note of even date to **Melinda R. Fleming**, in the amount of $35,000.00, as fully set out in said Deed of Trust of record in Book 10383, page 94, Register's Office for Davidson County, Tennessee; and

WHEREAS, the said William D. Castleman is unable to act as Trustee under said Deed of Trust , and I have been appointed as Substitute Trustee by the owner and holder of said note by an instrument of record in Instrument No. 20010205-0010825, Register's Office for Davidson County, Tennessee; and

WHEREAS, default was made in the payment of said indebtedness and in the performance of the other covenants and agreements contained in said Deed of Trust, and Melinda R. Fleming, the lawful owner and holder of said indebtedness having declared all the unpaid installments due and payable, called upon the undersigned Trustee to exercise the power of sale conferred by said Deed of Trust, and to sell the hereinafter described property; and

WHEREAS, I. Robert F. Spann, Substitute Trustee, did give notice of the time and place of sale by publication in the Nashville Record, a newspaper published in Nashville, Davidson County, Tennessee, for three (3) consecutive weeks, one insertion of said advertisement appearing in each of the issues of said newspaper on February 15, 2001, February 22, 2001, and March 1, 2001, respectively; and

WHEREAS, pursuant to said notice, I, the undersigned, Robert F. Spann, Substitute Trustee, did offer the property for sale at public outcry to the highest and best bidder for cash, subject to all restrictions of record, all unpaid taxes, and any other prior mortgages and valid liens of record on March 8, 2001, at 10:30 AM at the main front door of the Davidson County Courthouse, Nashville, Davidson County, Tennessee; and

WHEREAS, at the sale, **Joseph H. Rutherford and Melinda R. Fleming** were the highest and best bidder, the amount of their bid being in the sum of fifty-five thousand and and no/100 dollars ($55,000.00); and

NOW THEREFORE, I Robert F. Spann, Substitute Trustee, and pursuant to the power and authority contained in said Deed of Trust and in consideration of fifty-five thousand and no/100 and no/100 dollars ($55,000.00), credited and applied as payment on the note secured by the aforementioned Deed of Trust, and further credited and applied against attorney's fees, trustee's fees, and expenses incurred pursuant to said sale, do by these presents sell and transfer and convey unto **Joseph H. Rutherford and Melinda R. Fleming**, hereinafter known as the Grantee, their successors and assigns, a certain tract of land in Davidson County, Tennessee, described as follows:

Land in Davidson County, Tennessee

Being Lot No. 51 on the Plan of Williams First Addition to Edgefield, now East Nashville, as of record in Book 21, page 45, Register's Office for Davidson County, Tennessee, to which plan reference is here made for a more complete and accurate description

Being the same property conveyed to Andrew Simmons by deed from Melinda R. Fleming, of record in Instrument No. 200005300053496, Register's Office for Davidson County, Tennessee.

This is improved property known as 619 Shelby Avenue, Nashville, TN 37206

This conveyance is made subject any unpaid property taxes, and all matters of record in Plat Book 21, page 45, Register's Office for Davidson County, Tennessee

This conveyance is made subject to all restrictions of record.

TO HAVE AND TO HOLD said tract of land, together with all appurtenances, estate, title, and interest thereto belonging to the said Grantee, their successors and assigns, forever.

I, Robert F. Spann, Substitute Trustee, under the Deed of Trust of record in Instrument No. 200005300053498, Register's Office for Davidson County, Tennessee, do hereby transfer unto the said Grantee, their successors and assigns, all the rights, title and interest in and to said property vested in me, and which I have a right to transfer, in as full and ample a fashion as I, as Substitute Trustee, under said Installment Deed, can or should do, but not further or otherwise.

IN WITNESS WHEREOF, the said Robert F. Spann, Substitute Trustee, has hereunto set his hand, this the 13th day of March, 2001.

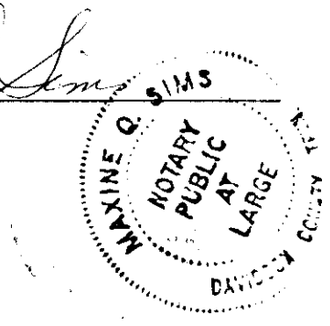
ROBERT F. SPANN, SUBSTITUTE TRUSTEE,
A RESIDENT OF
DAVIDSON COUNTY, TENNESSEE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public of said County and State Robert F. Spann, Substitute Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument as Trustee, for the purposes therein contained.

WITNESS my hand, at office, this 13th day of March, 2001.

NOTARY PUBLIC



My Commission Expires: 09/28/02