FILE NO.: 158.975868TN\alk
LOAN NO.: 1106868985\FHA

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: 04/06/01 15:47 2pgs
Fees:10.00 Taxes:0.00
20010406-0034143

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 19, 1994, and recorded in the Register's Office of Davidson County, Tennessee, at Book 9553, Page 564, ("Deed of Trust"), James P. Dortch Jr. and Donna C. Dortch conveyed to Richard P. Sims, 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 National Mortgage Company; and

WHEREAS, **BA Mortgage, LLC (a wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Book 11557, Page 780**, 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 November 9, November 16, and November 23, 2000, in THE NASHVILLE RECORD, by which advertisement the sale was held on December 14, 2000, 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 **BA Mortgage, LLC (a wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 100,174.51; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to the Secretary of Housing and Urban Development, Washington, D.C., his/her successors and assigns; 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 BA Mortgage, LLC (a wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation 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 the said **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being Lot No. 259 of Peppertree Forest Subdivision, Section 15, as of record in Plat Book 7900, Page 574, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description; said description is incorporated herein by reference the same as if copied fully herein verbatim

The last recorded Warranty Deed was filed of record at Book 9553, Page 561, 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 **Secretary of Housing and Urban Development**, Washington, D.C., his 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 14th day of December, 2000.

**Clifton E. Darnell**, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 14th day of December, 2000, 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. 6-12-2005 SHELBY CO., TN

My Commission Expires: 4-12-03

**NO TAX - GOVERNMENTAL AGENCY**

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**MSP No.: 158.975868TN (Dortch)**
**Lender Loan No.: 1106868985**
**Property Address: 5021 Trailwater Drive, Antioch, TN 37013**
**Tax Parcel ID No.: 176-02 ; 37.00**

Mail Tax Notices To and Property Owner:
Secretary of Housing and Urban Development
Property Disposition Branch
Cumberland Bend Office Center
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803