FILE NO.: 376.010308TN\alk
LOAN NO.: 2493799\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 APTSUBTR
Recvd: 04/27/01 15:53 2pgs
Fees:10.00 Taxes:0.00
20010427-0042825

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated June 10, 1986, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument 6884, Page 549, ("Deed of Trust"), Terry Kolczynski and Deborah Kolczynski conveyed to George E. Mudter, Jr., 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 M & T Mortgage Corporation; and

WHEREAS, **M&T Mortgage Corporation,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 200101240007242,** 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 January 4, January 11, and January 18, 2001, in THE NASHVILLE RECORD, by which advertisement the sale was held on February 15, 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 **M&T Mortgage Corporation**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 37,498.09; 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 M&T Mortgage Corporation as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Clifton E. Darneil**, 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:

Land in Davidson County, Tennessee, being Lot No. 39 on the Map of J. B. Hancock's East End Addition, as of record in Book 57, Page 133, Register's Office for said County, described as follows; Beginning on the Northerly margin of Granada, formerly Grand, Avenue at the corner of Lots Nos. 38 and 39; thence with said Avenue, Westwardly 50 feet to the Easterly margin of and alley; thence with said alley, Northerly 140 feet to a turn in said alley, continuing with said alley and in a Northeasterly direction 10 feet to the Southerly margin of another alley; thence with the last mentioned alley, Eastwardly 40 feet to the corner of Lots Nos. 38 and 39; thence with the line between said lots, Southwardly 150 feet to the beginning.

Being the same property conveyed to Terry L. Kolczynski and wife, Deborah A. Kolczynski, by deed from Bonnie Holt, which deed is recorded simultaneously herewith.

The last recorded Warranty Deed was filed of record at Instrument 6884, Page 546, 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 15th day of February, 2001.

Clifton E. Darnell, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 15th day of February, 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: 4/2003

NO TAX - GOVERNMENTAL AGENCY

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MSP No.: 376.010308TN (Kolczynsk)
Lender Loan No.: 2493799
Property Address: 1107 Granada Avenue, Nashville, TN 37206
Tax Parcel ID No.: 83-01;374.00

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