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THIS INSTRUMENT PREPARED BY:
CHERNAU, CHAFFIN AND BURNSED, PLLC
SunTrust Center, Suite 1750
424 Church Street
Nashville, Tennessee 37219

Davidson County DEEDTRS
Recvd: 07/11/01 14:25 3pgs
Fees:18.00 Taxes:943.50
20010711-0073973

ADDRESS NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL:
Capital Bank & Trust Company 1820 West End Avenue Nashville, Tennessee 37203	Same	119-9/61

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, there has occurred one or more acts of default in the note evidencing the indebtedness owed to Capital Bank & Trust Company ("Lender");

WHEREAS, Lender is the beneficiary of the Deed of Trust of record at Book 11033, page 809, Register's Office for Davidson County, Tennessee, dated July 3, 1998, (hereinafter collectively referred to as "Deed of Trust"). Said Deed of Trust secures to the Lender the payment in full of the note evidencing the subject indebtedness in the original principal sum of $298,841.96.

WHEREAS, by and through the above described Deed of Trust, the grantor, Jim Henery and Susan Henery, who later quit claimed all interest, on behalf of Jim Henery Paint & Body Shop, Inc., (the "Borrower") conveyed the real property described herein to R. Rick Hart, Trustee, for the benefit of the Lender, with power of sale;

WHEREAS, the Lender, pursuant to the terms and conditions of the above Deed of Trust, did appoint R. Garry Chaffin as Substitute Trustee, to serve in the stead of the Trustee with all powers granted unto the Trustee, such appointment appearing of record at Instrument No. 20010607-0060070, Register's Office for Davidson County, Tennessee;

WHEREAS, Lender notified the Trustee of the default by the Borrowers in the payments called for in the note secured by the above Deed of Trust and demanded that the Trustee advertise the subject property for sale pursuant to the terms and conditions of the said Deed of Trust;

WHEREAS, the Substitute Trustee did advertise the property for sale in the "Nashville Record" on June 14th, 21st, and 28th of 2001, in accordance with and in fulfillment of the requirements of the above Deed of Trust;

WHEREAS, the Trustee and/or his agent, in accordance with the requirements of the above Deed of Trust and the published advertisement for sale of the subject property, did on the 5th day of July, 2001, appear and conduct the sale of the herein described property;

WHEREAS, Capital Bank & Trust Company, did place the highest bid for the subject property, being the sum of $255,000.00;

NOW THEREFORE, for and in consideration of the sum of $255,000.00, the Substitute Trustee and/or his agent has bargained and sold, and by these present do transfer and convey unto the said Capital Bank & Trust Company, the Grantee herein, its successors and assigns, the property described as follows:

Land in Davidson County, Tennessee, being Lot No. 4, on the Revised and Corrected Plan of Thompson and Rings Subdivision of Edenwold Park, as shown on plat of record in Plat Book 332, page 29, in the Register's Office of Davidson County, Tennessee.

Said Lot No. 4 fronts 50 feet on the westerly side of Nolensville Pike and runs back between parallel lines 150 feet to an alley.

Being the same property conveyed to Jim Henery, by Deed of Record in Book 10704, page 915, Register's Office for Davidson County, Tennessee and by Quitclaim Deed from Susan K. Henery, n/k/a Susan Kathleen Evans, at Instrument No. 2000002240018284.

Map and Parcel: 119-9/61

Possible Address: 2719 Nolensville Road, Nashville, Tennessee 37211

(The maps and parcel and address above are believed to be correct; but same is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.)

The Substitute Trustee makes no personal warranties or representations concerning the subject property. This conveyance is subject to any prior matters of record including, but not limited to unpaid property taxes.

To have and to hold the said tract or parcel of land, including all appurtenances, estate, title and interest thereto belonging, unto the said Grantees, their heirs and assigns, forever.

Whenever used, the singular number or pronoun shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS, my hand this 6th day of July, 2001.

R. Garry Chaffin, Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, the within named R. Garry Chaffin, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged himself to be the Trustee under the above referenced Deed of Trust, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 6th day of July, 2001.

Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 3/26/05

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property (whichever is greater) is $255,000.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

R. Garry Chaffin, Trustee

Sworn to and subscribed before me this 11th day of July, 2001.

Notary Public

My Commission Expires: 3/26/05

M:SubDeed.he