Davidson County DEEDTRS
Recvd: 08/28/01 09:08 4pgs
Fees:23.00 Taxes:447.13
20010828-0092807

PREPARED BY: T. LARRY EDMONDSON
ATTORNEY AT LAW
800 BROADWAY
NASHVILLE, TN 37203

| ADDRESS NEW OWNER: | SEND TAX BILLS TO: | MAP-PAR. |
|---|---|---|
| Bank of America, N.A.<br>P.O. Box 21963<br>NC4-105-02-54<br>Greensboro, NC 27420 | Same | 092-09-0-378 |

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions and payments provided for and made in a Deed of Trust dated November 24, 1998, executed by Simbo Fernando aka Sandarage A. Fernando to TIM, Inc., Trustee, of record in Book 11226, Page 815, Register's Ofice for Davidson County, Tennessee; and

WHEREAS, Bank of America, N.A., formerly NationsBank, N.A., the owner and holder of the indebtedness secured by said Deed of Trust of record in Book 11226, Page 815, Register's Office for Davidson County, Tennessee, replaced said Trustee by naming T. Larry Edmondson, as Substitute Trustee by an instrument of record in Instrument Number 20010321-0027381, Register's Office for Davidson County, Tennessee; and

WHEREAS, T. Larry Edmondson, Substitute Trustee, caused said real property to be advertised in accordance with the provisions of said Deed of Trust, advertising in The Nashville Record three times on July 12th, July 19th and July 26th, 2001 that said property would be sold at 10:00 A.M. prevailing time on August 23, 2001, in the front door of the Davidson County Courthouse, Nashville, Tennessee, to be knocked off and sold to the highest, best and last bidder for cash, and free from the equity of redemption, homestead, dower and all other exemptions as provided in said Deed of Trust; but subject to any and all mortgages, liens, claims and unpaid taxes which may be a lien against said property.

WHEREAS, the Substitute Trustee personally appeared and offered said property for sale at public outcry and the highest, best and last bid received was the sum of One Hundred Twenty Thousand Eight Hundred Forty Six and 74/100 Dollars ($120,846.74) by Bank of America, N.A. (hereinafter referred to as "Grantee") and said property was knocked off and sold to the Grantee.

NOW, THEREFORE, in consideration of the premises and sum of One Hundred Twenty Thousand Eight Hundred Forty Six and 74/100 Dollars ($120,846.74) cash in hand paid by the Grantee, T. Larry Edmondson, Substitute Trustee has this day sold and by these premises, does transfer and convey unto Grantee, its/their heirs and assigns, a certain tract or parcel of land situated in Davidson County, Tennessee, and described as follows:

LAND in Davidson County, Tennessee, being Lot No. 17 in the Subdivision of part of the Wilcox 25 acre tract, as of record in Book 161, Page 159, Register's Office for Davidson County, Tennessee.

SAID Lot No. 17 fronts 51 1/3 feet on the north side of Charlotte Turnpike, now Charlotte Avenue, and extends back between lines, along the east margin of an alley, 189 feet to another alley in the rear, on which it measures 50 feet.

INCLUDED in the above conveyance, but specifically EXCLUDED from this conveyance is the following parcel of land previously conveyed to the State of Tennessee in Book 11047, Page 841, said Register's Office, and described as follows: BEGINNING at the point of intersection of the existing north margin of S.R. 24 and the west boundary of the T. Herschel Hudgins property, said point of intersection being 39.84 feet left of S.R. 24 proposed centerline station 50+130.451; thence with said existing margin having a curve right and westerly 50 feet; more or less to a point; said point being 39.73 feet left of S.R. 24 proposed centerline station 50+114.874; thence with the existing east margin of an alley northerly 36 feet, more or less to a point, said point being 8.21 feet left of said alley's proposed centerline station 1+076.50; thence with the proposed north margin of S.R. 24 south 89 deg. 04' 51" east 4.09 feet to a point, said point being 12.30 feet left of said alley's proposed centerline station 1+076.50; thence with the proposed east margin of said alley south 00 deg. 54' 41" west 33.81 feet to a point, said point being 41.01 feet left of S.R. 24 proposed centerline station 50+116.248; thence with the proposed north margin of S.R. 24 having a 3,239.83 feet radius curve left and easterly 46.33 feet to a point, said point being 41.01 feet left of S.R. 24 proposed centerline station 50+130.548; thence with said boundary south 00 deg. 59' 09" west 1.86 feet to the point of beginning and containing 237 square fee.

BEING the same property conveyed to Sandarage A. Fernando by deed from Sue Ellen Wright Hale, of record in Book 10515, Page 892, Register's Office for Davidson County, Tennessee.

The street address of the above described property is believed to be 3214 Charlotte Avenue, Nashville, TN 37209.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee, its/their heirs, successors, and assigns, forever.

And the Substitute Trustee covenants with the said Grantee that he is lawfully seized and possessed of said real property as Substitute Trustee only, and by the terms of the above-mentioned Deed of Trust, has a good right to sell and convey the same.

The Substitute Trustee further covenants and binds himself/his successors and assigns, to warrant and forever defend the title to said real estate to the Grantee, its/their heirs and assigns, against the lawful claims of any persons claiming by or through him as Substitute Trustee, but no further or otherwise; it being the intention of the Substitute Trustee only to convey to Grantee no greater title in the subject real estate than he received as Substitute Trustee and that, as Substitute Trustee, he has the right to sell and convey.

This sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption or any governmental agent, state or federal; and any prior encumbrances that may exist against the property. This sale is also subject to any matter that an accurate survey of the premises might disclose.

Witness my hand this 23rd day of August 2001.

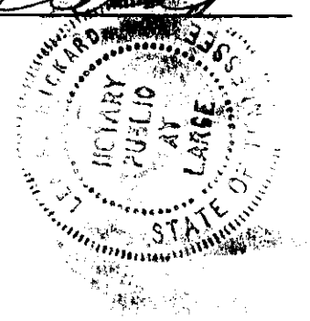
T. LARRY EDMONDSON
Substitute Trustee

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 T. Larry Edmondson, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal at office this 23rd day of AUGUST , 2001.

NOTARY PUBLIC




MY COMMISSION EXPIRES:

11-29-2003

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $ 120,846.74

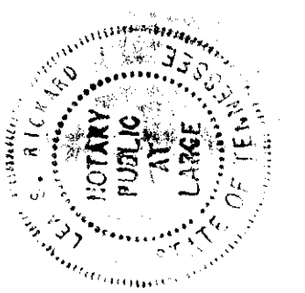
AFFIANT

Sworn to and subscribed before me on this the 23rd day of AUGUST , 2001.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

11-29-2003



Q43334

IN THE CHANCERY COURT
FOR DAVIDSON COUNTY, TENNESSEE

RECEIVED
MAY 18 2001
Dav Co. Chancery Court

IN RE:

STATE OF TENNESSEE )
)
V. ) CASE NO. 00-591-I
)
REAL PROPERTY KNOWN AS )
3214 CHARLOTTE AVENUE )
NASHVILLE, TN 37209 )

FILED
2001 MAY 24 PM 4:03
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

## AGREED JUDGMENT

It appearing to the Court as evidenced by the signatures affixed hereto that the parties are in agreement that the interest of Bank of America, N.A. in the real property known as Lot No. 17 in the Subdivision of part of the Wilcox 25 acre tract, as of record in Book 161, Page 159, Register's Office for Davidson County, Tennessee, also known as 3214 Charlotte Avenue, Nashville, Tennessee 37209 is exempt from forfeiture pursuant to T.C.A., Section 39-11-704(b); therefore, it is

ORDERED that the interest of Bank of America, N.A. in the real property hereinabove described is exempt from forfeiture pursuant to Section 39-11-704(b) and NationsBank, N.A., now Bank of America, N.A., may proceed with foreclosure, pursuant to T.C.A. Section 39-11-710

This the _____ day of _____, 2001.

Chancellor Irvin H. Kilcrease, Jr.

APPROVED FOR ENTRY:

Janice Bossing, B.P.R. #11999
Assistant District Attorney
St. 500, Washington Square
222 Second Avenue North
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(615) 880-3151

T. Larry Edmondson
Attorney Bank of America, N.A.
800 Broadway, Third Floor
Nashville, TN 37203
(615) 254-3765

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been mailed first class, postage prepaid to Sandarage A. Fernando, 3214 Charlotte Avenue, Nashville, TN 37209 and to Bryan Lewis, Attorney at Law, 217 2nd Avenue North, Nashville, TN 37201, this the 4th day of April, 2001.

T. Larry Edmondson, Attorney