This Instrument Prepared By:
James C. Cotey
MILLER & MARTIN LLP
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

Davidson County DEEDTRS
Recvd: 10/05/01 08:07 3pgs
Fees:18.00 Taxes:239.74
20011005-0108316

Name and Address of New Owner:

AmSouth Bank
P.O. Box 847
Birmingham, AL 35201

Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:

Same

Tax Map & Parcel No.:

119-02-0-058.00

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 21st day of September, 2001 from **James C. Cotey** as Grantor, in his capacity as Substitute Trustee, to AmSouth Bank as Grantee.

W I T N E S S E T H:

WHEREAS, on October 30, 2000, Luana Whitwell executed a Deed of Trust (the "Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness held by and owing to AmSouth Bank ("Bank"), said indebtedness being more particularly described in the Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee in Instrument 20001205-0119536, to which reference is hereby made; and

WHEREAS, default was made in the payment of the aforesaid indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, pursuant to the terms of the Deed of Trust, James C. Cotey was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Instrument 20010810-0086266 in the Register's Office of Davidson County, Tennessee.

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Bank, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment and satisfaction of the indebtedness, including principal, interest, late charges, attorney fees and costs of sale, I, James C. Cotey, as Substitute Trustee, by and through my agent, did on September 21, 2001 commencing at 10:30

A.M., pursuant to advertisement of sale published in the *Nashville Record* in its editions of August 30, 2001, September 6, 2001, and September 13, 2001, offer for sale and sold at public auction to the highest and best bidder for cash at the front door of the Davidson County Courthouse in the City of Nashville, Tennessee, in bar of the equities of redemption, statutory redemption, dower, homestead and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee became the highest and best bidder at and for the sum of Sixty Four Thousand Seven Hundred Ninety Five and 18/100 ($64,795.18).

NOW, THEREFORE, I, James C. Cotey, Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the following described real estate located in the City of Nashville, County of Davidson, State of Tennessee:

BEING LOT NO. 16, CUNNINGHAM HEIGHTS, OF RECORD IN BOOK 2331, PAGE 76, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

Being the same property conveyed to LUANA JUNE WHITWELL, from Secretary of Housing and Urban Development, by deed dated November 30, 2000 of record in the Davidson County Register's Office.

Joseph L. Whitwell, spouse of Luana Whitwell, hereby joins in the execution of this instrument for the sole purpose of conveying any interest he may have in the subject property by virtue of his marriage to the said Luana Whitwell.

Luana June Whitwell and Luana Whitwell are one and the same person.

The property address is believed to be:
203 Garwood Drive, Nashville, Tennessee 37210.

For source of Grantor's equitable interest in the property, reference is made to Instrument 20001205-0119536, Register's Office of Davidson County, Tennessee. The legal description is unchanged from prior deed of record.

The Substitute Trustee does hereby quitclaim unto Grantee all of his right, title and interest in the said property and not further or otherwise and subject to any governmental zoning or

subdivision ordinances or regulations in effect thereon and further subject to any unpaid taxes or assessments owing on the property.

IN WITNESS WHEREOF, I, James C. Cotey, Substitute Trustee, have executed this instrument to be effective the date first above written.

James C. Cotey

James C. Cotey, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, Tanya D. English, Notary Public, James C. Cotey, with whom I am personally acquainted, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 25th day of September, 2001.

Tanya D English

Notary Public

My Commission Expires: MY COMMISSION EXPIRES MAY 7, 2003

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $64,795.18.

James C. Cotey

James C. Cotey

Sworn to and subscribed before me
this 25th day of September, 2001.

Tanya D English

Notary Public

My Commission Expires: MY COMMISSION EXPIRES MAY 7, 2003