DLC 13 #12

FROM: STEPHEN C. BAKER, SUBSTITUTE TRUSTEE

TO: FRANKLIN NATIONAL BANK

Davidson County DEEDQC
Recvd: 11/16/01 12:07 3pgs
Fees:18.00 Taxes:18.50
20011116-0125828

Address New Owner as follows:	Send Tax Bills to:	Tax Parcel ID
Franklin National Bank	SAME	Map 144
230 Public Square		Parcel 58
Franklin, TN 37064		

THIS INSTRUMENT PREPARED BY: Waller Lansden Dortch & Davis, a Professional Limited Liability Company, 511 Union Street, Suite 2100, Nashville, Tennessee 37219

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $5,000.00

Affiant

Subscribed and sworn to before me, this the 16th day of November, 2001.

Notary Public

My Comm. Expires: JULY 06, 2003

QUITCLAIM SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 27, 2001, of record in Instrument No. 20010330-0030927, Register's Office for Davidson County, Tennessee, hereinafter referred to as "Deed of Trust", Daniel R. Hightower and wife, Terri Hightower, conveyed to John T. Flaugher, Trustee, the hereinafter described real estate, hereinafter referred to as the "Property", to secure an indebtedness evidenced by a Deed of Trust Note of even date therewith, which note is fully described in the Deed of Trust, hereinafter referred to as the "Note"; and

WHEREAS, default occurred in the payment of the Note, and in accordance with the terms of the Note and Deed of Trust, the holder thereof declared the entire indebtedness due and owing; and

WHEREAS, the lawful owner and holder of the indebtedness, by the terms of a certain instrument of record in Instrument No. 20011018-0114034 , Register's Office for Davidson County, Tennessee, appointed Stephen C. Baker, Substitute Trustee, in the place and stead of John T. Flaugher, Trustee; and

WHEREAS, the owner and holder of the indebtedness directed Stephen C. Baker, Substitute Trustee, to sell the Property, and in accordance with the terms thereof, and pursuant to said direction, Stephen C. Baker, Substitute Trustee, did advertise the Property for sale as provided in the Deed of Trust and Note, and the Property was advertised to be sold at 12:00 Noon, November 16, 2001, at the front door of the Courthouse, in Nashville, Davidson County, Tennessee, for cash, to the highest bidder, free from all equity of redemption, all rights of homestead, dower, and curtesy, and all other rights and exemptions of every kind, all of which are expressly waived by the Deed of Trust; and the advertisement of sale was duly published in The Nashville Record, a newspaper of general circulation in Davidson County, Tennessee, on October 25, 2001, November 1, 2001 and November 8, 2001; and

WHEREAS, at the time and place of said sale, and upon the Property being offered under the terms hereinabove set forth, Franklin National Bank was the highest and best bidder;

NOW, THEREFORE, the undersigned, Stephen C. Baker, Substitute Trustee, pursuant to the bid of Franklin National Bank, in the amount of FIVE THOUSAND no/100s Dollars ($5,000.00), which was the highest bid, and for and in consideration of said bid amount, has bargained and sold, and by these presents does hereby quitclaim and convey unto Franklin National Bank, its successors and assigns, the following described real estate in Davidson County, Tennessee:

TRACT I:

Land in the 7th Civil District of Davidson County, Tennessee, being a part of Lot No. 6 on the Plan of W. W. Mooney Lands, as of record in Minute Book 4, page 191, Register's Office for Davidson County and as described by a survey by Gaffron and Jeffers in November of 1983.

BEGINNING at a point in the center of a private driveway easement, 20 feet wide, separating this property and the property of David L. Rollins, which point is 494.33 feet along said easement and east of the easterly margin of Hillsboro Pike and proceeding away from said easement along the Lawrence M. Lipman easterly most boundary N 88 deg. 04' 11" E, 169.92 feet; thence N 25 deg. 51' 02" E, 430 feet; thence along Hugh Stallworth's southerly line S 64 deg. 55' 58" E, 497.70 feet; thence N 27 deg. 24' 23" E, 97.27 feet; thence S 71 deg. 22' 40" E, 87.68 feet; thence along the J. W. Roland property line S 28 deg. 16' 26" W, 337.43 feet, thence S 82 deg. 58' 14" W, 244.83 feet; thence N 87 deg. 00' 58" W, 398.74 feet; thence N 77 deg. 23' 32" W, 85.64 feet; thence along a 20 foot driveway easement N 47 deg. 16' 04" W, 70 feet to the beginning, containing 5.46 acres.

Included in the above described property but excluded from this conveyance is an old family burial ground approximately 26 feet wide and 90 feet long and lying in the northeasterly most corner of the above described property with easement of record in Book 1196, page 650, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Daniel R. Hightower and wife, Terri Hightower by deed from Steven G. Hall and wife, Kathryn S. Hall of record in Book 8131, page 633, Register's Office for Davidson County, Tennessee.

TRACT II:
A certain tract or parcel of land being a portion of Map 144, parcel 80 in the Assessor's Office for Davidson County, Tennessee, and being more particularly described as follows, shown on the driveway location survey for Daniel Hightower by A & A Engineers, Inc. dated January 24, 1996:

Beginning at the northwestern most point of the property conveyed to Daniel R. Hightower in Book 8131, page 633, Register's Office for Davidson County, Tennessee and being the southwestern most point of the herein described tract of land and beginning at the center line of an access easement; thence being the common line between the Hightower property and the herein described tract N 88deg. 04' 11" E 169.92 feet to an iron pin; thence along the westerly property line of Hightower for 52.14 feet to a new iron pin set; thence along the southerly most line of the property conveyed to Lawrence K. Lipman of record in Book 6181, page 481, said Register's Office and being the northerly most line of the herein described tract N 81 deg. 10' 04" E 216.18 feet to the center of an access easement; thence along the center line of said access easement N 47 deg. 16' 04" W 28.67 feet to the point of beginning and containing .015 acres more or less.

Being the same property conveyed to Daniel R. Hightower and wife, Terri Hightower by deed from Lawrence M. Lipman, married, of record in Book 10011, page 679, Register's Office for Davidson County, Tennessee.

This is property known as, 5910 Hillsboro Road, Nashville, 37215, Davidson County, Tennessee.

Franklin National Bank is the holder of the indebtedness secured by the following described two (2) Deeds of Trust (the "Deeds of Trust"):

1. Deed of Trust from Daniel R. Hightower and wife, Terri Hightower, to Teri Hasenour Gordon, Trustee, dated November 17, 1992, of record in Book 8794, page 370, Register's Office for Davidson County, Tennessee.

2. Open-End Deed of Trust from Daniel R. Hightower and wife, Terri Hightower, to TIM, Inc., Trustee, dated October 18 1999, of record in Book 11713, page 962, Register's Office for Davidson County, Tennessee.

It is acknowledged and agreed that the interest of Franklin National Bank in the above described property pursuant to the Deeds of Trust and pursuant to this Quit Claim Substitute Trustee's Deed shall not merge. It is the express intention of the parties hereto that such interest of Franklin National Bank shall not merge, but shall be and remain at all times separate and distinct, notwithstanding any union of such interest in Franklin National Bank at any time, and that the lien of such Deeds of Trust on the above described property shall be and remain at all times valid and continuous liens on the above described property until released of record by the holder of the indebtedness secured by the Deeds of Trust.

IN WITNESS WHEREOF, the said Stephen C. Baker, Substitute Trustee, has executed this instrument on the 16th day of November, 2001.

Stephen C. Baker, 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 Stephen C. Baker, Substitute Trustee, the bargainor, 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 in Nashville, Tennessee, this the 16th day of November, 2001.

NOTARY PUBLIC

My Commission Expires JUL

My Commission Expires:_____