Davidson County DEEDTRS
Recvd: 11/29/01 08:47 2pgs
Fees:13.00 Taxes:1198.80
20011129-0130488

Tennessee
Map # 52-6-112

James Smith
Litton # 7807753

TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 15, 1998, and recorded in Book 10894 Page 567 in the Register's Office of Davidson County, Tennessee, James E Smith, and Wife, And Carole F. Smith, conveyed to Arnold M.Weiss, Attorney, Trustee(s), the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust by which advertisement the sale was appointed to be held on November 13, 2001, at the Main (South) Door of the Courthouse of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale The Bank of New York, a corporation, being the highest and best bidder, became the purchaser of said property at and for the sum of Three Hundred Twenty Four Thousand Dollars and 00/100; and,

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by The Bank of New York of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Trustee, does hereby grant, bargain, sell and convey to the said The Bank of New York, its successors and assigns in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit: A certain tract or parcel of land in the 11th Civil District of Davidson County, Tennessee, being Lot No. 2 on the plan of Christian Acres of record in Book 5200, Page 92, Register's Office for said County, described as follows: Beginning at a monument on the southerly margin of Neely's Bend Road; said monument being North 76 deg. 00' West 338.0 feet from the original northeast corner of the 29.41 acre tract conveyed to Metropolian Baptist Church of Nashville, Inc., by deed of record in Book 5243, page 348, said Register's Office; thence South 10 degrees 50' West 350.0 feet to a monument; thence North 79 degrees 10' West 241.0 feet to a monument; thence North 10 degrees 50' East 330.00 feet to a monument; thence North 79 degrees 10' West 45 feet to a monument; thence North 10 degrees 50' East 20 feet to a monument in the southerly margin of Neely's Bend Road; thence with the margin of said Road South 79 degrees 10' East 286.00 feet to the point of beginning, containing 1.95 acres, more or less.

James E. Smith and Carole F. Smith obtained title to the above referenced real estate by Deed of record in Book 9465, Page 324, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto The Bank of New York, its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Trustee, but not further or otherwise.

The said Trustee has applied the consideration as follows:

Publication Expense	255.00
Attorney's Fees and Trustees Fees	500.00
Credit on Note	323,245.00
	$324,000.00

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

IN WITNESS WHEREOF, the said Arnold M. Weiss, Trustee, has on November 13, 2001 hereunto set his hand and seal.

ARNOLD M. WEISS, Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On November 13, 2001 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

Marci Frederick
NOTARY PUBLIC

MARCI FREDERICK NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 08-3-05

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
712 Neely's Bend Road,
Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

The Bank of New York
C/O Litton Loan Servicing
5373 West Alabama
Houston, TX 77056

Mortgagee: None

mail to:

This instrument prepared by:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103

STATE OF TENNESSEE COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 324,000.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 13 DAY OF NOV 2001
NOTARY PUBLIC Marci Frederick
MY COMMISSION EXPIRES

MARCI FREDERICK NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 08-3-05