615-842-0837 373-5949

FILE NO.: 158.007127TN\alk
LOAN NO.: 1106439704\FHA

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Joel A. Freedman, Attorney
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341

PICK-UP

Davidson County DEEDTRS
Recvd: 12/17/01 13:45 2pgs
Fees:13.00 Taxes:278.22
20011217-0139042

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 21, 1994, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument 9477, Page 538, ("Deed of Trust"), as re-recorded at Instrument 9497, Page 398, aforesaid records, and Joy B. McKissick conveyed to Linda S. Harris, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to National Mortgage Company; and

WHEREAS, **BA Mortgage, LLC (a wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation successor in interest by merger of Boatmen's National Mortgage, Inc. successor in interest by merger of National Mortgage Company,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 200109260103948,** in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on September 27, October 4, and October 11, 2001, in THE NASHVILLE RECORD, by which advertisement the sale was held on November 1, 2001, at the Main South entrance in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Rick Piliponis, Esq., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Anthony Cherry**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of **$ 74,653.00**; and

WHEREAS, **Anthony Cherry** has/have complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by **Anthony Cherry** as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Clifton E. Darnell**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Anthony Cherry**, his/her/their successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Property located in Davidson County, Tennessee
Land in Davidson County, Tennessee, Being the East 43.5 feet of the West 160 feet of the South 160 feet, more or less, of Block 7, on the map of the Realty Savings Bank and Trust Company's Revised Plan of West Extension of Charlotte Park Company's Addition, of record in Book 421, Page 18, Register's Office for said county.
Being the same property conveyed by deed of even date and being recorded simultaneously herewith.

The last recorded Warranty Deed was filed of record at Book 9497, Page 396, in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto forever, to **Anthony Cherry**, his/her/their successors and assigns, whom the said, **Clifton E. Darnell**, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, **Clifton E. Darnell**, Substitute Trustee, has hereunto set his hand, this 1st of November, 2001.

Clifton E. Darnell, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 1st day of November, 2001, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Clifton E. Darnell**, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

Notary Public

My Commission Expires: My Commission Expires Dec. 14, 2004

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STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 74,653.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 8th DAY OF NOVEMBER 2001.

Notary Public

My Commission Expires: My Commission Expires Dec. 14, 2004

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MSP No.: 158.007127TN (McKissick)
Lender Loan No.: 1106439704
Property Address: 5208 Elkins Avenue, Nashville, TN 37209
Tax Parcel ID No.: 91-15; 115.00

Mail Tax Notices To and Property Owner:
Anthony Cherry
1224 5th Avenue, North
Nashville, TN 37203