PREPARED BY:
Marty M. Stone
Duncan & Mosley
701 Market Street, Suite 1000
Chattanooga, Tennessee 37402

GRANTEE: Bank One, NA

ADDRESS P.O. Box 2071, Mail Code WI1-4030
Milwaukee, Wisconsin 53201-2071

SEND TAX NOTICE TO: Same

Davidson County DEEDTRS
Recvd: 01/31/02 08:53 3pgs
Fees:18.00 Taxes:251.60
20020131-0013534

MAP GROUP AND PARCEL NUMBER: 59-14-94.00

TRUSTEE'S DEED

WHEREAS, a Deed of Trust was executed by Christine D. Short, an unmarried woman, and Thomas Akins, an unmarried man, to Mary Frances Rudy, Trustee, for the use and benefit of Heartland Home Finance on February 8, 2000 and recorded as **Instrument No. 200002180016668** in the Register's Office of Davidson County, Tennessee conveying the hereinafter described real property in trust to secure payment of a promissory note, and said Deed of Trust subsequently assigned to Bank One, NA by instrument recorded as **Instrument No. 200007030065670,** aforesaid records, and

WHEREAS, under the terms of said Deed of Trust, Marty M. Stone was appointed substitute trustee on August 29, 2001, which instrument is of record as **Instrument No. 200109100098191**, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in payment of installments maturing on the above described promissory note and in performance of the covenants contained in the Deed of Trust by reason of which the entire balance owing thereon was declared due and payable, the default being made in payment thereof, and such default continuing; and

WHEREAS, by virtue of the power and authority vested in him as substitute trustee, the said Marty M. Stone, at the request of the owner of said note, and for the purpose of effecting payment in satisfaction thereof, principal and interest, attorney's fees and costs of sale, pursuant to the advertisement published in the *Nashville Record* a newspaper published and of general circulation in Davidson County, Tennessee, in its issues of September 28, 2001, October 5, 2001 and October 12, 2001, offered for sale and sold on January 4, 2002 at 10:00 a.m., at public outcry to the highest and best bidder for cash at the courthouse in the City of Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale, Bank One, NA, being the highest and best bidder, and for the

sum of **SIXTY EIGHT THOUSAND AND 00/100 DOLLARS ($68,000.00)** became the purchaser thereof.

NOW THEREFORE, Marty M. Stone, substitute trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer and convey unto Bank One, NA the following described property located at 3803 Crouch Drive, Nashville, Davidson County, Tennessee, and more particularly described as follows:

> Being Lot No. 32 on the Plan of Haynes Manor, Section 1, of record in Book 3600, page 85, Register's Office for Davidson County, Tennessee.
>
> BEING the same property conveyed to Henry D. Short, Sr. and wife Christine D. Short by deed from Richard A. Walker and wife, Margaret Walker of record in Book 5414, page 830, Register's Office for Davidson County, Tennessee. Henry D. Short, Sr. having since died.

THIS CONVEYANCE is made subject to any and all zoning regulations, building restrictions and setback lines, if any, and easements and rights for public utilities applicable to this property, and real estate taxes which may be outstanding and due as of date of sale.

TO HAVE AND TO HOLD the said described real estate unto Bank One, NA, its successors and assigns forever in fee simple.

IN WITNESS WHEREOF, Marty M. Stone, substitute trustee, has caused this instrument to be executed on this the 4th day of January 2002.

MARTY M. STONE, Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF HAMILTON)

Personally appeared before me, notary public of said county, MARTY M. STONE, Substitute Trustee for Bank One, N.A., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this the 4th day of JANUARY 2002.

Notary Public
My Commission Expire: Sept 13, 2005

I swear that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$68,000.00** which amount is equal to or greater than the

amount which the property transferred would commend at a fair and voluntary sale.

Affiant

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

Sworn to before me this the
22 day of January, 2002.

Notary Public

My commission expires: 9-1-02

CANDICE A. COWAN
NOTARY PUBLIC
STATE OF WISCONSIN