THIS INSTRUMENT PREPARED BY AND RETURN TO
LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
6750 Lenox Center Court, Suite 202
MEMPHIS, TN 38115

Davidson County DEEDTRS
Recvd: 07/29/02 13:43 3pgs
Fees:18.00 Taxes:88.57
20020729-0090546

NAME: Dennis Waggoner

S&K#: 02-0697
LOAN#: 6905771173

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 7, 1999, recorded in Instrument No. 199912140302932, Register's Office of DAVIDSON County, Tennessee, Dennis Waggoner, conveyed to William C. Ford, Trustee, 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, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in instrument 20020312-0030815, in the Register's Office of DAVIDSON County, Tennessee; 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 sale Deed of Trust by which advertisement the sale was appointed to be held on July 12, 2002, at the DAVIDSON County Courthouse in Nashville, Tennessee, at 10:00 AM; 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 time the said property was struck off and sold to CONSECO FINANCE SERVICING CORP., whose address is 7360 S. Kyrene Road Kyrene Building Tempe, AZ 85283, at and for the sum of $23,936.86, that being the highest and best bid offered; 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 Substitute 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 CONSECO FINANCE SERVICING CORP., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Joe M. Kirsch, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said CONSECO FINANCE SERVICING CORP., its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of DAVIDSON, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 1 on the Plan of the Margie Waggoner Property Subdivision, as recorded in Book 8250, Page 565, and also part of the property recorded in Book 2741, Page 175, said Register's Office.

A more detailed description is as follows: Beginning at the Cecil E. Waggoner,et ux, northwest corner, an iron rod, in the south margin of Pulley Road; thence along said margin, south 2 degrees 90 minutes 59 seconds east 146.31 feet to an iron rod, the northwest corner of Lot number 1; thence along said margin north 01 degree 43 minutes 45 seconds east 119.18 feet to an iron rod, the beginning of a curve; thence continuing along the margin with the ark of a curve with a radius of 498.29 feet, a distance of 90.82 feet to an iron rod, the northeast corner of lot number 1; thence leaving said margin south 81 degrees 27 minutes 57 seconds east 392.69 feet to an iron rod; thence south 04 degrees 35 minutes 28 seconds west 235.00 feet to an iron rod; thence north 77 degrees 45 minutes 16 seconds west 393.05 feet to an iron rod in the south margin of Pulley Road, the point of beginning.

This legal description is identical with that in Deed recorded in Instrument No. 199912140302932, Register's Office of DAVIDSON County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument No. 199912140302932, Register's Office of DAVIDSON County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Book 10682, Page 854, Register's Office for DAVIDSON County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements. Subject to first mortgage recorded at Book 11058, Page 291 in the Register's Office of DAVIDSON County, Tennessee.

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

IN WITNESS WHEREOF, the said Joe M. Kirsch, Substitute Trustee, has hereunto set his hand and seal on July 12, 2002.

Joe M. Kirsch, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On July 12, 2002, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Joe M. Kirsch to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

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

12/20/05 — JENA R. SINCLAIR NOTARY PUBLIC AT LARGE MY COMM EXP Dec. 20, 2005 SHELBY CO., TN

My commission expires: Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $23,936.86, 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 July 12, 2002.

12/20/05 — JENA R. SINCLAIR NOTARY PUBLIC AT LARGE MY COMM EXP Dec. 20, 2005 SHELBY CO., TN

My commission expires: Notary Public

PROPERTY ADDRESS: 2525 PULLEY ROAD, , NASHVILLE, TN, 37214

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
CONSECO FINANCE SERVICING CORP.
7360 S. Kyrene Road Kyrene Building
Tempe, AZ 85283

S & K #:02-0697
Map & Parcel - 121-261