Davidson County DEEDTRS
Recvd: 08/26/02 08:43 2pgs
Fees:13.00 Taxes:260.88
20020826-0102545

PREPARED BY:
Stuart E. Duncan
Duncan & Mosley
701 Market Street, Suite 1000
Chattanooga, Tennessee 37402

MAP GROUP AND PARCEL NUMBER: 61-7-144

SEND TAX NOTICE TO:
Grantee- Bank One, N.A.
P.O. Box 2071, Mail Code WI1-4030
Milwaukee, Wisconsin 53201-2071

TRUSTEE'S DEED

WHEREAS, a Deed of Trust was executed by Connie Caraway, unmarried, to National Lending Center, Trustee, for the use and benefit of National Lending Center, Inc. on January 14, 2000 and recorded as **Instrument No. 200001200006620** 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, was assigned to Bank One N.A., recorded as **Instrument No. 200008010075702** in the aforesaid Register's Office and

WHEREAS, under the terms of said Deed of Trust, Stuart E. Duncan was appointed substitute trustee on June 11, 2002, which is of record as **Instrument No. 200206140072361** 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 Stuart E. Duncan, 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 July 30, 2002, August 6, 2002 and August 13, 2002, offered for sale and sold on August 20, 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, N.A. being the highest and best bidder, and for the sum of **SEVENTY THOUSAND FIVE HUNDRED EIGHT AND 00/100 DOLLARS ($70,508.00)** became the purchaser thereof.

NOW THEREFORE, Stuart E. Duncan, 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, N.A., the following described property located at: **814 Gwynn Drive, Nashville, Tennessee 37216**, and more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 16 of Block "C" on the Plan of Broadmoor, as of record in Book 547, page 161, Register's Office for said County.
>
> Said Lot No. 16 fronts 50 feet on the southerly side of Gwynn Drive and runs back between parallel lines 150 feet to a dead line.
>
> Being the same property conveyed to the grantors by deed of even date being filed for record simultaneously herewith.

THIS CONVEYANCE is made subject to any and all prior unpaid mortgages and liens, zoning regulations, building restrictions and setback lines, restrictive covenants, 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, N.A., their successors and assigns forever in fee simple.

IN WITNESS WHEREOF, Stuart E. Duncan, substitute trustee, has caused this instrument to be executed on this the 20th day of August 2002.

STUART E. DUNCAN
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, notary public of said county, STUART E. DUNCAN, 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 as Substitute Trustee for Bank One, N. A.

Witness my hand, at office, this the 20th day of August 2002.

Notary Public My Commission Expires: Sept. 10, 2005

I swear that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$70,508.00** which amount is equal to or greater than the amount which the property transferred would commend at a fair and voluntary sale. agent

Affiant

Sworn to and subscribed before me this 20th day of August 2002.

Notary Public: My commission expires: Sept. 10, 2005