FILE NO.: 382.028336TN\adt
LOAN NO.: 0431614767\CONV

**THIS INSTRUMENT PREPARED BY & RETURN TO:**
**Priority Trustee Services of TN, L.L.C.**
3300 N.E. Expressway, Building 8
Atlanta, GA 30341

Davidson County DEEDTRS
Recvd: 10/10/02 08:44 2pgs
Fees:13.00 Taxes:408.54
20021010-0124009

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 29, 1999, and recorded in the Register's Office of Davidson County, TN, at Book No. 11723, Page 626, ("Deed of Trust"), Ryan C. Overstreet and Michele A. Overstreet conveyed to Don W. Ledbetter, 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 Bank One, National Association, as Trustee; and

WHEREAS, **Bank One, National Association, as Trustee,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 20020923-0115503**, in the Register's Office of Davidson County, TN; 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 TN and the terms and provisions of said Deed of Trust on 8/29/02, 9/5/02, 9/12/02, in THE NASHVILLE RECORD, by which advertisement the sale was held on September 26, 2002, at the Main South entrance in Nashville, Davidson County, TN, 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 **Bank One, National Association, as Trustee**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 110,415.00; and

WHEREAS, the owner and holder of said debt for which said property was sold has 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 Bank One, National Association, as Trustee as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C.,** as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Bank One, National Association, as Trustee,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Tract 1:

Land in Davidson County, Tennessee, being located in that area of said County commonly referred to as the 9th Civil District and being a portion of Tract or lot No. 4 in the Travis and Lewis Land Company's unrecorded subdivision of small farms and being a part of the land which was acquired by Associates Financial Services Company of TN, Inc. from said Travis and Lewis Land Company by deed dated May 14, 1957, and of record in Book 2647, page 563, Register's Office for Davidson County, Tennessee, also being the same property conveyed to Roy W. Evans and wife, by Associates Financial Services Company of TN, Inc. herein by deed dated June 2, 1960 (Book 3074, page 192) and reclaimed from them by foreclosure proceedings, as set out in Trustees Deed of Claude Callicott, Trustee, dated February 26, 1962 (Book 3343, page 342). Notwithstanding obvious errors in the descriptions contained in said deeds of conveyance, a correct description of the tract herein conveyed is taken from a resurvey of said Tract or Lot 4 made June 4, 1973 by Ronald A. Ramsey, Registered Professional Engineer, and by survey of John Kohl, Surveyor, dated April 2, 1981, as follows:

Beginning at an iron pin in the southerly margin of Manning Hollow Road, this being the Northwesterly corner of said lot, and now designated as No. 26, Manning Hollow Road, Pegram, Tennessee, Zip Code 37143, thence generally in a Southerly direction 1290 feet more or less, to an iron pin or concrete monument, this being the Southwesterly corner, thence in a Southeasterly direction (South 59 degrees 19 minutes East) 232 feet, more or less to an iron pin or concrete monument in the Southeasterly corner; thence generally in a northerly direction 1300 feet, more or less to an iron pin or monument in the Southerly margin of Manning Hollow Road, thence with the Southerly margin of said road North 57 degrees 15 minutes West 95.9 feet, North 61 degrees 15 minutes West 100 feet and North 69 degrees 15 minutes West 13.1 feet, to the point of beginning.

Excluded from the foregoing description is that portion of said Tract or Lot 4 which was conveyed to Larry D. Drake, Sr. et ux herein by deed from H. H. Loftis and wife, dated May 25, 1966, of record in Book 4020, page 697, of the Register's Office of Davidson County, Tennessee.

Tract II:

Land in the 9th Civil District of Davidson County, Tennessee, being part of Tract No. 4 in Travis and

Lewis Land Company's Subdivision of small farms, not of record, described ppartly according to a survey made by John M. Sullivan, Engineer, May 11, 1957 as follows:
Beginning on the southerly margin of Manning Hollow Road at the corner of Tracts Nos. 3 and 4, being the northeast corner of the property conveyed to J.W. Hunter and wife, thence with the line between Tracts 3 and 4, southerly 605 feet, thence easterly 110 feet; thence northerly 595 feet to the southerly margin of Manning Hollow Road; thence with the same westerly 105 feet to the beginning.
Being the same property conveyed to Larry D. Drake, Sr., and wife Emily A. Drake, by deed from Associates Financial Services Company of Tennessee, Inc. of record in Book 5730, page 238, Register's Office, for Davidson County, Tennesee.

The last recorded Warranty Deed was filed of record at Book No. 11723, Page 622, in the Register's Office of Davidson County, TN.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said **Bank One, National Association, as Trustee,** its successors and assigns forever, to whom the said, **Priority Trustee Services of TN, L.L.C.**, 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, **Priority Trustee Services of TN, L.L.C.,** Substitute Trustee, has hereunto set his hand, this 26th day of September, 2002.

**Priority Trustee Services of TN, L.L.C.**
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On this 26th day of September, 2002, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared , Dionne Simmons, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Priority Trustee Services of TN, L.L.C.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the limited liability company by himself or herself as such officer or member.

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

ANGELIA D THACKER COMM. EXP. NOTARY PUBLIC 07-08-06 GWINNETT COUNTY, GA

Notary Public

My Commission Expires: _____

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STATE OF GEORGIA
COUNTY OF DEKALB

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 $ 110,415.00, 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 26TH DAY OF SEPTEMBER 2002.

ANGELIA D THACKER COMM. EXP. NOTARY PUBLIC 07-08-06 GWINNETT COUNTY, GA

Notary Public

My Commission Expires: _____

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**MSP No.: 382.028336TN (Overstreet)**
**Lender Loan No.: 0431614767**
**Property Address: 4080 Manning Hollow Road, Pegram, TN 37143**
**Tax Parcel ID No.: 112-00;67.00**

Mail Tax Notices To and Property Owner:
HomeComings Financial Network
9275 Sky Park Court, 3rd Floor
San Diego, CA 92123