PICK-UP

**THIS INSTRUMENT PREPARED BY:**
William T. Hill, Attorney at Law
AmSouth Center
315 Deaderick Street, Suite 1230
Nashville, Tennessee 37238-1230

Davidson County DEEDTRS
Recvd: 10/15/02 13:58 3pgs
Fees:18.00 Taxes:589.72
20021015-0126665

**SUBSTITUTE TRUSTEE'S DEED**

Address New Owner and Send Tax Bills To:

Bank One
N54 W13600 Woodale Drive
Mail Station WI1-4033
Menomonee Falls, Wisconsin 53051

Map-Parcel Numbers:

97-16-A-79.00

**WHEREAS,** Default having been made in the terms and conditions of payments, pursuant to a certain Deed of Trust executed by Bryan A. Meier, to E. Thomas Sidwell, Trustee, dated the 28th day of December, 1999, and being of record at Instrument Number 200002140014962, Register's Office for Davidson County, Tennessee, referred to herein as the deed of trust, which conveyed certain real property, appurtenances, estate, title and interest therein in trust to secure the indebtedness described therein, which indebtedness is now due and unpaid and has been declared in default by the lawful owner thereof, Bank One.

**WHEREAS,** Appointment of Substitute Trustee having been duly executed by the holder of the note and beneficiary of said Deed of Trust, Appointment of Substitute Trustee being of record at Instrument Number 20020826-0103179, in the Register of Deed's Office, Davidson County, Tennessee, and appointing William Timothy Hill as Substitute Trustee.

**WHEREAS**, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder of said debt has called upon the Substitute Trustee to foreclose the Deed of Trust; and

**WHEREAS**, the Substitute Trustee, after due advertisement as required by law and as required by the terms of the Deed of Trust, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve o'clock noon (12:00 noon), October 14, 2002, at the Davidson County Courthouse, Nashville, Tennessee, when and where Bank One ("Grantee"), became the last and highest bidder at the price of One Hundred Fifty-nine Thousand Three Hundred Eighty-three and 00/100 ($159,383.00) Dollars.

**NOW, THEREFORE**, in his capacity as Substitute Trustee, and not otherwise, and in consideration of the premises and payment of the sum stated above, the receipt and sufficiency of which are acknowledged, William Timothy Hill, Substitute Trustee, hereby conveys the Property described hereto in Exhibit "A", to the Grantee and the Grantee's heirs or successors and assigns.

**TO HAVE AND TO HOLD** the Property in as full and complete manner as the undersigned, in his capacity as Substitute Trustee, and not otherwise, has the power to convey.

William Timothy Hill, as Substitute Trustee, and not otherwise, warrants the title to the Property to the Grantee and Grantee's heirs or successors and assigns, against the lawful claims of all persons claiming by, through or under him. The quantity or quality thereof, and expressly subject to the following:

1. Any and all unpaid taxes and assessments, plus interest and penalty, if any.

2. Any and all other prior restrictions, encumbrances, or liens of any nature.

Words used herein indicating number or gender shall be read as context may require.

Dated this 14th day of October, 2002.

William Timothy Hill, as
Substitute Trustee and not otherwise

**STATE OF TENNESSEE**
**COUNTY OF DAVIDSON**

Personally appeared before me, a Notary Public in and for said County and State, the within named William Timothy Hill, Substitute Trustee, 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 contained therein.

Witness my hand and official seal at Nashville, Tennessee, this 14th day of October, 2002.

David L. Howell
Notary Public

My commission expires: 1-29-05

The actual consideration for this transfer or value of the property transferred, whichever is greater, is $159,383.00.

Affiant

Subscribed and sworn to before me this 14th day of October 2002.

David L. Howell
Notary Public

My commission expires: 1-29-05

# EXHIBIT A

BEING Lot No. 10 on the plan of Section Two of The Peninsula, a Planned Residential Development, of record in Book 9700, Page 841, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

BEING the same property conveyed to Bryan A. Meier, unmarried by warranty deed from Fox Ridge Homes, Inc. being recorded immediately prior to the recording hereof.

This is improved property known as 4836 Peninsula Point Dr, Hermitage, TN 37076.