Davidson County DEEDTRS
Recvd: 10/29/02 15:45 4pgs
Fees:23.00 Taxes:817.70
20021029-0132552

FILE BOX 47

PREPARED BY BARNEY B. REGEN, 110 MATHIS DRIVE, DICKSON, TENNESSEE

Map 143-06-A-9.00 N-1114

TRUSTEE'S DEED

WHEREAS, by deed of trust dated September 7, 2001, of record as Instrument No. 20010918-0100713 in the Register's Office of Davidson County, Tennessee (the "Deed of Trust"), Steven E. Simmons conveyed the real property described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Property"), to Barney B. Regen, Trustee (the "Trustee"), to secure the payment of the indebtedness evidenced by a promissory note of even date therewith made payable to First Federal Bank in the principal amount of $300,000.00 (the "Note"); and

WHEREAS, default having occurred in the payment of the indebtedness evidenced by the Note, and in accordance with the terms thereof, the owner and holder of the Note declared the entire indebtedness due and owing; and

WHEREAS, the owner and holder of the Note directed the Trustee to sell the Property, as provided by the terms of the Deed of Trust; and

WHEREAS, pursuant to direction and in accordance with the terms of the Deed of Trust, the Trustee advertised the time, place, and terms of the sale in the *Nashville Record*, a newspaper of general circulation in Davidson County, Tennessee, and published a notice of sale in said newspaper for three consecutive weeks prior to the sale, beginning September 19, 2002; and

WHEREAS, the aforesaid advertisement complied in all respects with the requirements for the exercise of the power of sale contained in the Deed of Trust; and

WHEREAS, at 10:30 a.m. Prevailing Central Time on October 11, 2002, the Trustee offered the Property for sale at the Metropolitan Courthouse in Nashville, Tennessee, and, after receiving competitive bids, sold the Property to Gayle Powers for Two Hundred Twenty-One Thousand and No/100 Dollars ($221,000.00), this being the highest and best bid;

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of Two Hundred Twenty-One Thousand and No/100 Dollars ($221,000.00) cash in hand paid, the receipt of which

is hereby acknowledged, **Barney B. Regen, Trustee,** acting under and by virtue of the power of sale contained in the Deed of Trust, has bargained and sold, and by these presents does transfer and convey the Property to the said **Gayle Powers**, her heirs and assigns.

TO HAVE AND TO HOLD the Property to the said Gayle Powers, her heirs and assigns, forever.

And the Trustee does hereby transfer, assign, and set over unto the said Gayle Powers all of the covenants and warranties contained in the Deed of Trust, and does hereby warrant the title to the Property against the lawful claims of all persons claiming by, through, or under him as Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the Trustee has hereunto set his hand this 11th day of October, 2002.

Barney B. Regen, Trustee

STATE OF TENNESSEE

COUNTY OF DICKSON

Personally appeared before me, the undersigned, a notary public in and for said county and state, the within named Barney B. Regen, Trustee, the bargainor, 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 and official seal at Dickson, Tennessee, this 11th day of October, 2002.

Notary Public

My Commission Expires:

August 23, 2005

This is improved property known as 332 Harpeth Ridge Drive, Nashville, Tennessee 37221.

AFFIDAVIT

I hereby swear or affirm that the actual consideration for this transfer or the value of the property transferred, whichever is greater, is $221,000.00, which is equal to or greater than the

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

Affiant

Sworn to and subscribed before me this 11th day of October, 2002.

Notary Public

My Commission Expires:

August 23, 2005

NAME AND ADDRESS OF OWNER:

Ms. Gayle Powers
1825 Harpeth River Drive
Brentwood, Tennessee 37027

SEND TAX BILLS TO:

Ms. Gayle Powers
1825 Harpeth River Drive
Brentwood, Tennessee 37027

EXHIBIT A

Description of Property

Land in Davidson County, State of Tennessee, being Lot No. 9 on the Plan of Harpeth Trace Estates - Phase One, as of record in Book 5200 at page 125 in the Register's Office of Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Steven E. Simmons by deed from First Federal Bank dated September 7, 2001, of record as Instrument No. 20010918-0100712 in the Register's Office of Davidson County, Tennessee.