This Instrument Prepared By:
Joseph T. Phillips
MILLER & MARTIN LLP
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

Davidson County DEEDTRS
Recvd: 11/20/02 14:24 3pgs
Fees:18.00 Taxes:159.84
20021120-0144278

Name and Address of New Owner:	**Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:**	**Tax Map & Parcel No.:**
AmSouth Bank RCN4 P.O. Box 10063 Birmingham, AL 35202-0063	Same	093-01-0-A-179.00 CO

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 15th day of November, 2002 from **Joseph T. Phillips** as Grantor, in his capacity as Substitute Trustee, to AmSouth Bank as Grantee.

W I T N E S S E T H:

WHEREAS, on February 18, 2000, Cindy L. Foss, an unmarried person, executed a Deed of Trust (the "Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness held by and owing to AmSouth Bank, successor in interest to First American National Bank ("Bank"), said indebtedness being more particularly described in the Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee in Instrument No. 200002250018328, to which reference is hereby made; and

WHEREAS, default was made in the payment of the aforesaid indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, pursuant to the terms of the Deed of Trust, Joseph T. Phillips was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Instrument No. 20020805-0093851 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Bank, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment and satisfaction of the indebtedness, including principal, interest, late charges, attorney fees and costs of sale, I, Joseph T. Phillips, as

Substitute Trustee, by and through my agent, did on November 15, 2002 commencing at 10:30 a.m., pursuant to advertisement of sale published in the *Nashville Record* in its editions of October 24, 2002, October 31, 2002, and November 7, 2002, offer for sale and sold at public auction to the highest and best bidder for cash at the front door of the Davidson County Courthouse in the city of Nashville, Tennessee, in bar of the equities of redemption, statutory redemption, dower, homestead and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee became the highest and best bidder at and for the sum of Forty-three Thousand Two Hundred and no/100 Dollars ($43,200.00);

NOW, THEREFORE, I, Joseph T. Phillips, Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the following described real estate located in the city of Nashville, county of Davidson, State of Tennessee:

> A condominium apartment located in Davidson County, Tennessee, being Unit 504, of Capitol Towers as more particularly described in that certain Master Deed for Capitol Towers, of record in Book 8607, page 417, as amended in Book 11072, page 626, Register's Office for Davidson County, Tennessee, to which Master Deed reference is hereby made for a more complete and accurate description.
>
> Being the same property conveyed to Cindy L. Foss by deed from Capitol Towers, Ltd., a Tennessee limited partnership of record in Instrument # 200002250018327, Register's Office for Davidson County, Tennessee.
>
> The property address is believed to be:
> 510 Gay Street, Unit 504, Nashville, Tennessee 37219

For source of Grantor's equitable interest in the property, reference is made to Instrument 200002250018328, Register's Office of Davidson County, Tennessee. The legal description is unchanged from prior deed of record.

The Substitute Trustee does hereby quitclaim unto Grantee all of his right, title and interest in the said property and not further or otherwise and subject to any governmental zoning or subdivision ordinances or regulations in effect thereon and further subject to any unpaid taxes or assessments owing on the property.

IN WITNESS WHEREOF, I, Joseph T. Phillips, Substitute Trustee, have executed this instrument to be effective the date first above written.

J.T. Phillips

Joseph T. Phillips, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Before me, personally appeared Joseph T. Phillips, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument in behalf of himself as Substitute Trustee, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

WITNESS my hand and seal, at office, this 18th day of November, 2002.

Janya D Engle

Notary Public

My Commission Expires: _____

[AFFIX SEAL]

NOTARY PUBLIC AT LARGE HAMILTON CO. TN MY COMMISSION EXPIRES MAY 7, 2003

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $43,200.00.

J.T. Phillips

Joseph T. Phillips, Substitute Trustee

Sworn to and subscribed before me this 18th day of November, 2002.

Janya D Engle

Notary Public

My Commission Expires: _____

[AFFIX SEAL]

NOTARY PUBLIC AT LARGE HAMILTON CO. TN MY COMMISSION EXPIRES MAY 7, 2003