THIS INSTRUMENT PREPARED BY AND RETURN TO
LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
6750 Lenox Center Court, Suite 202
MEMPHIS, TN 38115

NAME: Jerry Garfield Swindell

S&K#: 02-2838
LOAN#: 7491356422

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 21, 1996, recorded in Book 10067, Page 108, Register's Office of DAVIDSON County, Tennessee, Jerry Garfield Swindell and wife, Barbara A. Swindell, conveyed to Mary L. Aronov, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Instrument No. 20020325-0036090, in the Register's Office of DAVIDSON County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on January 8, 2003, at the DAVIDSON County Courthouse in Nashville, Tennessee, at 10:00 a.m.; and,

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to Commercial Federal Bank, whose address is 10845 Harney Street, Omaha, NE 68154, at and for the sum of $90,950.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Commercial Federal Bank, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Denise Griffin, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Commercial Federal Bank, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of DAVIDSON, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 115 on the Plat of Greenwood Hills, Section 3, of record in Book 5050, Page 10, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate description.

This legal description is identical with that in Trust Deed recorded in Book 10067, Page 108, Register's Office of DAVIDSON County, Tennessee.

Davidson County DEEDTRS
Recvd: 01/14/03 13:33 2pgs
Fees:13.00 Taxes:336.52
20030114-0005785

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 10067, Page 108, Register's Office of DAVIDSON County, Tennessee.

The last quit claim deed of record is Quitclaim Deed recorded in Instrument No. 20001109-0111587, Register's Office for DAVIDSON County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Commercial Federal Bank, its successors and assigns, in fee simple forever, to whom the said Denise Griffin, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Denise Griffin, Substitute Trustee, has hereunto set his hand and seal on January 8, 2003.

Denise Griffin, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On January 8, 2003, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Denise Griffin to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

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

JENA R. SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN My Comm. Exp. 12-20-05

12/20/05
My commission expires

Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $90,950.00, 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 January 8, 2003.

JENA R. SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN My Comm. Exp. 12-20-05

12/20/05
My commission expires

Notary Public

PROPERTY ADDRESS: 3866 SCOTWOOD DRIVE, NASHVILLE, TN 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Commercial Federal Bank
10845 Harney Street
Omaha, NE 68154

S & K #:02-2838
Map & Parcel -133-12-219