Davidson County DEEDTRS
Recvd: 01/31/03 09:07 2pgs
Fees:13.00 Taxes:257.89
20030131-0013338

Tennessee
Map # 83-1-243

Rodney Smith
HFN: 0800446924

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 2, 1998, and recorded in Book 11250 Page 508 in the Register's Office of Davidson County, Tennessee, Rodney Smith and Arlanda Smith, Husband and Wife, conveyed to Fidelity National, Trustee(s), 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. 20011106-0121397 in the Register's Office of said County; 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 said Deed of Trust by which advertisement the sale was appointed to be held on January 21, 2003, at the Main (South) Door of the Courthouse of Davidson County, Tennessee; 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 sale BANK ONE, NATIONAL ASSOCIATION, F/K/A THE FIRST NATIONAL BANK OF CHICAGO, AS TRUSTEE, a corporation, being the highest and best bidder, became the purchaser of said property at and for the sum of SIXTY NINE THOUSAND SEVEN HUNDRED DOLLARS AND 00/100; 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 BANK ONE, NATIONAL ASSOCIATION, F/K/A THE FIRST NATIONAL BANK OF CHICAGO, AS TRUSTEE of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said BANK ONE, NATIONAL ASSOCIATION, F/K/A THE FIRST NATIONAL BANK OF CHICAGO, AS TRUSTEE, 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:

Land in Davidson County, Tennessee, being Lot No. 13 on the Plan of Petway's Subdivision of Lot No. 7 Hobsons Subdivision, of record in Book 2, Page 42, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Rodney Smith and Arlanda obtained title to the above referenced real estate by Deed of record in Book: 11250, Page: 505, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto BANK ONE, NATIONAL ASSOCIATION, F/K/A THE FIRST NATIONAL BANK OF CHICAGO, AS TRUSTEE, with full power in trustee to sell, mortgage, lease, convey, or otherwise dispose of said property, any purchaser, lessee or encumbrancer being hereby expressly relieved of the necessity of looking to the application of the proceeds of any such sale, lease, mortgage or other disposition, and unto the successors and assigns of the said trustee in fee simple forever, to whom the said Arnold M. Weiss, 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.

The said Substitute Trustee has applied the consideration as follows:

Recording Appointment of Substitute Trustee	22.00
Publication Expense	255.00
Attorney's Fees and Trustees Fees	550.00
Credit on Note	68,873.00
	$69,700.00

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on January 21, 2003 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On January 21, 2003 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss 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 the day and year above written.

NOTARY PUBLIC

BRENDA DOYLE NOTARY PUBLIC AT LARGE MY COMM. EXP. 11-14-04 SHELBY CO. TN

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
1035 Petway Avenue,
Nashville, Tennessee 37207

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

BANK ONE, NATIONAL ASSOCIATION, F/K/A
C/O HOMECOMINGS FINANCIAL NETWORK
9275 SKY PARK, THIRD FLOOR
SAN DIEGO, CA 92123

Mortgagee: None

This instrument prepared by:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 69,700.00
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 21 DAY OF Jan 03

NOTARY PUBLIC Brenda Doyle
MY COMMISSION EXPIRES 11-14-04

BRENDA DOYLE NOTARY PUBLIC AT LARGE MY COMM. EXP. 11-14-04 SHELBY CO. TN