Davidson County DEEDTRS
Recvd: 02/21/03 16:03 8pgs
Fees:43.00 Taxes:1757.50
20030221-0023664

THIS INSTRUMENT PREPARED BY:
CHERNAU, CHAFFIN AND BURNSED, PLLC
SunTrust Center, Suite 1750
424 Church Street
Nashville, Tennessee 37219

ADDRESS NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL:
SouthTrust Bank 230 Fourth Avenue, North Nashville, TN 37219	SAME	177/32 177/30 177/33 178/69

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, there has occurred one or more acts of default in the note evidencing the indebtedness owed to SouthTrust Bank("Lender");

WHEREAS, Lender is the beneficiary of the Deed of Trust of record in Book 11726, page 365, Register's Office for Davidson County, Tennessee (hereinafter referred to as ("Deed of Trust"). Said Deed of Trust secures to the Lender the payment in full of the note evidencing the subject indebtedness in the original principal sum of $590,000.00.

WHEREAS, by and through the above described Deed of Trust, the grantor, Highway 96 Partners, L.P., a Tennessee limited partnership (the "Borrower") conveyed the real property described herein to George R. Archer, Jr., Trustee, for the benefit of the Lender, with power of sale;

WHEREAS, the Lender pursuant to the terms and conditions of the above Deed of Trust, did appoint R. Garry Chaffin as Substitute Trustee, to serve in the stead of the Trustee with all powers granted unto the Trustee, such appointment appearing of record in Instrument Number 20030114-0005956, Register's Office for Davidson County, Tennessee;

WHEREAS, Lender notified the Trustee of the default by the Borrower in the payments called for in the note secured by the above Deed of Trust and demanded that the Trustee advertise the subject property for sale pursuant to the terms and conditions of the said Deed of Trust;

WHEREAS, the Substitute Trustee did advertise the property for sale in the "Nashville Record" on January 23rd, January 30th, and February 6, 2003, in accordance with and in fulfillment of the requirements of the above Deed of Trust;

WHEREAS, the Trustee and/or his agent, in accordance with the requirements of the above Deed of Trust and the published advertisement for sale of the subject property, did on the 17th day of February, 2003, appear and conduct the sale of the herein described property;

WHEREAS, SouthTrust Bank, did place the highest bid for the subject property, being the sum of $475,000.00;

NOW THEREFORE, for and in consideration of the sum of $475,000.00, the Substitute Trustee and/or his agent has bargained and sold, and by these present do transfer and convey unto the said SouthTrust Bank, the Grantee herein, its successors and assigns, the property described in **"Schedule A"** attached hereto.

The Substitute Trustee makes no personal warranties or representations concerning the subject property. This conveyance is subject to any prior matters of record including, but not limited to unpaid property taxes. The transfer is "as is" and without warranties of any kind.

To have and to hold the said tract or parcel of land, including all appurtenances, estate, title and interest thereto belonging, unto the said Grantee, its heirs and assigns, forever.

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

WITNESS, my hand this 17th day of February, 2003.

R. Garry Chaffin, Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, the within named **R. Garry Chaffin**, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged himself to be the Trustee under the above referenced Deed of Trust, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 17th day of February, 2003.

Toni L. Buggs
Notary Public

TONI L. BUGGS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 5-29-05

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property (whichever is greater) is $475,000.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

R. Garry Chaffin, Trustee

Sworn to and subscribed before me this 17th day of February, 2003.

Toni L. Buggs
Notary Public

My Commission Expires: 5-29-05

TONI L. BUGGS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

SCHEDULE "A"
LEGAL DESCRIPTION

TRACT 1

A certain parcel of real property located on Highway 96 in the 35th council district of Nashville, Tennessee and being further described as follows:

Beginning at a concrete monument in the western right of way of Highway 96, said being the southeast corner of Lot 1 on the Plat of Fox Hollow Farms Lots 1, 3, 6, 10, 11, 12, 21 and 24 as of record in Book 9700 Page 292 Register's Office of Davidson County Tennessee; thence with the right of way Highway 96 as follows: South 07 degrees 04 minutes 13 seconds East a distance of 361.94 feet to a point; thence South 30 degrees 32 minutes 59 seconds East a distance of 217.31 feet to a point; thence South 07 degrees 31 minutes 00 seconds East a distance of 294.71 feet to a point; thence leaving the right of way of Highway 96 with the following calls: North 88 degrees 29 minutes 39 seconds West a distance of 761.00 feet to a point; thence South 70 degrees 45 minutes 34 seconds West a distance of 438.87 feet to a point; thence South 22 degrees 43 minutes 13 seconds West a distance of 143.06 feet to a point; thence South 71 degrees 18 minutes 46 seconds West a distance of 176.56 feet to a point; thence North 78 degrees 44 minutes 11 seconds West a distance of 33.83 feet to a point; thence South 80 degrees 29 minutes 02 seconds West a distance of 89.89 feet to a point; thence South 67 degrees 12 minutes 57 seconds West a distance of 66.10 feet to a point; thence South 75 degrees 39 minutes 57 seconds West a distance of 179.51 feet to a point; thence South 52 degrees 01 minutes 29 seconds West a distance of 41.36 feet to a point; thence South 15 degrees 56 minutes 30 seconds West a distance of 75.50 feet to a point; thence South 28 degrees 40 minutes 33 seconds West a distance of 188.18 feet to a point; thence South 26 degrees 08 minutes 54 seconds West a distance of 159.05 feet to a point; thence South 27 degrees 09 minutes 07 seconds West a distance of 71.82 feet to a point; thence South 36 degrees 26 minutes 30 seconds West a distance of 55.94 feet to a point; thence South 46 degrees 26 minutes 21 seconds West a distance of 38.21 feet to a point; thence South 66 degrees 02 minutes 10 seconds West a distance of 87.03 feet to a point; thence South 77 degrees 32 minutes 14 seconds West a distance of 67.43 feet to a point; thence North 83 degrees 00 minutes 49 seconds West a distance of 70.11 feet to a point; thence South 82 degrees 46 minutes 50 seconds West a distance of 48.00 feet to a point; thence North 72 degrees 40 minutes 12 seconds West a distance of 160.04 feet to a point; thence North 84 degrees 43 minutes 45 seconds West a distance of 158.59 feet to a point; thence South 89 degrees 37 minutes 30 seconds West a distance of 107.30 feet to a point; thence North 53 degrees 39 minutes 12 seconds West a distance of 72.53 feet to a point; thence North 80 degrees 48 minutes 22 seconds West a distance of 112.06 feet to a point; thence South 69 degrees 50 minutes 34 seconds West a distance of 122.40 feet to a point; thence South 65 degrees 28 minutes 53 seconds West a distance of 146.40 feet to a point; thence South 61 degrees 36 minutes 25 seconds West a distance of 36.88 feet to a point; thence South 47 degrees 02 minutes 03 seconds West a distance of 74.53 feet to a point; thence South 30 degrees 10 minutes 43 seconds West a distance of 86.91 feet to a point; thence South 05 degrees 25 minutes 09 seconds West a distance of 27.71 feet to a point; thence South 10 degrees 03 minutes 31 seconds West a distance of 26.65 feet to a point in the Eastern line of Lot 24 on the Plat of Fox Hollow Farms; thence with said eastern line as follows; North 02 degrees 07

SCHEDULE "A"
LEGAL DESCRIPTION

TRACT I (CONT'D)

minutes 31 seconds East a distance of 258.91 feet to a point; thence North 02 degrees 05 minutes 25 seconds East a distance of 180.47 feet to a point; thence North 08 degrees 04 minutes 22 seconds East a distance of 146.87 feet to a point in the southern line of Phase 1 of Fox Hollow Farms; thence with said southern line North 51 degrees 49 minutes 17 seconds East a distance of 172.82 feet to a point; thence North 33 degrees 42 minutes 41 seconds West a distance of 96.16 feet to a point; thence North 56 degrees 17 minutes 19 seconds East a distance of 310.00 feet to a point; thence North 70 degrees 24 minutes 45 seconds East a distance of 307.53 feet to a point; thence North 84 degrees 43 minutes 11 seconds East a distance of 132.58 feet to a point; thence North 21 degrees 48 minutes 23 seconds East a distance of 87.42 feet to a point; thence North 86 degrees 26 minutes 46 seconds East a distance of 203.08 feet to a point; thence North 66 degrees 00 minutes 05 seconds East a distance of 150.05 feet to a point; thence North 53 degrees 45 minutes 13 seconds East a distance of 195.95 feet to a point; thence South 22 degrees 18 minutes 15 seconds East a distance of 84.60 feet to an iron rod; thence North 65 degrees 59 minutes 41 seconds East a distance of 495.58 feet to an iron rod; thence North 70 degrees 00 minutes 53 seconds East a distance of 500.82 feet to a iron rod; thence South 34 degrees 48 minutes 51 seconds West a distance of 123.66 feet to a point; thence North 54 degrees 01 minutes 45 seconds East a distance of 461.46 feet to a point; thence North 35 degrees 58 minutes 46 seconds East a distance of 125.50 feet to a point; thence North 75 degrees 37 minutes 07 seconds East a distande of 464.02 feet to the point of beginning containing 50.335 acres more or less.

BEING a portion of the property conveyed to Highway 96 Partners, LP, by Deed of Record in Book 8353, page 806; Book 9892, page 724 and Book 9892, page 767, Register's Office for Davidson County, Tennessee.

SCHEDULE "A"
LEGAL DESCRIPTION

LESS AND EXCEPT the following described parcels of property:

PARCEL A:

A certain parcel of real property west of Highway 96 and North of Old Harding Road in the 35th council district of Nashville, Tennessee and being further described as follows:

Beginning at an iron rod at the northeastern corner of Lot 24 on the Plat of Fox Hollow Farms as of record in Book 9700 Page 292 Register's Office of Davidson County Tennessee; thence North 51 degrees 49 minutes 17 seconds East a distance of 172.82 feet to a point thence North 33 degrees 42 minutes 41 seconds West a distance of 96.16 feet to a point; thence North 56 degrees 17 minutes 19 seconds East a distance of 310.00 feet to a point; thence North 70 degrees 24 minutes 45 seconds East a distance of 151.89 feet to a point; thence South 22 degrees 43 minutes 05 seconds West a distance of 429.50 feet to a point; thence South 05 degrees 43 minutes 01 seconds West a distance of 300.00 feet to a point in the common line with John H. Dillon as of Record in Book 7169 Page 994 Register's Office of Davidson County Tennessee and corrected in Book 9892 Page 767 Register's Office of Davidson County Tennessee; thence with the corrected boundary South 69 degrees 50 minutes 34 seconds West a distance of 122.40 feet to a point; thence South 65 degrees 28 minutes 53 seconds West a distance of 146.40 feet to a point; thence South 61 degrees 36 minutes 25 seconds West a distance of 36.88 feet to a point; thence South 47 degrees 02 minutes 03 seconds West a distance of 74.53 feet to a point; thence South 30 degrees 10 minutes 43 seconds West a distance of 86.91 feet to a point; thence South 05 degrees 25 minutes 09 seconds West a distance of 27.71 feet to a point; thence South 10 degrees 03 minutes 31 seconds West a distance of 26.65 feet to a point in the eastern line of above reference Lot 24; thence North 02 degrees 07 minutes 31 seconds East a distance of 258.91 feet to a point; thence North 02 degrees 05 minutes 25 seconds East a distance of 180.47 feet to a point; thence North 08 degrees 04 minutes 22 seconds East a distance of 146.87 feet to the point of beginning containing 5.00 acres more or less.

SCHEDULE "A"
LEGAL DESCRIPTION

LESS AND EXCEPT the following parcels of property:

PARCEL B:

A certain parcel of real property west of Highway 96 and North of Old Harding Road in the 35th council district of Nashville, Tennessee and being further described as follows:

Beginning at an iron rod at the southwest corner of Lot 6 on the plat of Lots 1, 3, 6, 10, 11, 12, 21, and 24 Fox Hollow Farms as of record in Book 9700 Page 292 Register's Office of Davidson County Tennessee; thence North 84 degrees 43 minutes 31 seconds East a distance of 104.50 feet to a point; thence South 43 degrees 08 minutes 46 seconds East a distance of 737 48 feet to a tree in the northern line of the property belonging to John H. Dillon as of record in Book 7169 Page 994 and as corrected in Book 9892 Page 767 Register's Office of Davidson County Tennessee thence with Dillon's northern line South 28 degrees 40 minutes 33 seconds West a distance of 15.00 feet to a point; thence South 26 degrees 08 minutes 54 seconds West a distance of 159.05 feet to a point; thence South 27 degrees 09 minutes 07 seconds West a distance of 71.82 feet to a point; thence South 36 degrees 26 minutes 30 seconds West a distance of 55.94 feet to a point; thence leaving Dillon's line North 44 degrees 37 minutes 15 seconds West a distance of 526.73 feet to a point; thence North 12 degrees 48 minutes 28 seconds West a distance of 429.07 feet to the point of beginning containing 5.01 acres more or less.

SCHEDULE "A"
LEGAL DESCRIPTION

LESS AND EXCEPT the following parcels of property:

PARCEL C:

A certain parcel of real property west of Highway 96 and North of Old Harding Road in the 35th council district of Nashville, Tennessee and being further described as follows:

Beginning at an iron rod at the southwest corner of Lot 6 on the plat of Lots 1, 3, 6, 10, 11, 12, 21, and 24 Fox Hollow Farms as of record in Book 9700 Page 292 Register's Office of Davidson County Tennessee; thence with the eastern line of Lot 6 North 21 degrees 48 minutes 23 seconds East a distance of 87.42 feet to the southwest corner of Lot 5 Fox Hollow Farms; thence with the southern line of Lot 5 North 86 degrees 26 minutes 46 seconds East a distance of 203.08 feet to a point; thence North 66 degrees 00 minutes 05 seconds East a distance of 150.05 feet to a point; thence North 53 degrees 45 minutes 13 seconds East a distance of 71.63 feet to a point; thence South 33 degrees 30 minutes 16 seconds East a distance of 570.37 feet to a tree on the Northern line of the property belonging to John H. Dillon as of record in Book 7169 Page 994 Register's Office of Davidson County Tennessee and as corrected in Book 9892 Page 767 Register's Office of Davidson County Tennessee; thence with Dillon's northern line South 52 degrees 01 minutes 29 seconds West a distance of 41.36 feet to a point; thence South 15 degrees 56 minutes 30 seconds West a distance of 72.50 feet to a point; thence South 28 degrees 40 minutes 33 seconds West a distance of 173.18 feet to a point at the southeast corner of Lot 28 Fox Hollow Farms; thence with the common line with said Lot 28 North 43 degrees 08 minutes 46 seconds West a distance of 737.48 feet to a point; thence South 84 degrees 43 minutes 31 seconds West a distance of 104.50 feet to the point of beginning containing 5.00 acres more or less.

SCHEDULE "A"
LEGAL DESCRIPTION

TRACT II

A certain parcel of real property west of Highway 96 and North of Old Harding Road in the 35th council district of Nashville, Tennessee and being further described as follows:

Beginning at an iron rod in the southeast corner of Lot 24 on the plat of Lots 1, 3, 6, 10, 11, 12, 21, and 24 Fox Hollow Farms as of record in Book 9700 Page 292 Register's Office of Davidson County Tennessee; said rod is also in the common line with Mattie Joslin King as of record in Book 72 Page 35 Register's Office of Williamson County Tennessee and as amended by deeds of record in Book 9892 Page 724 Register's Office of Davidson County Tennessee and Book 9892 Page 730 Register's Office of Davidson County Tennessee; thence with King's western line South 02 degrees 03 minutes 16 seconds West a distance of 243.50 feet to a point; thence leaving said western line North 81 degrees 44 minutes 38 seconds West a distance of 398.24 feet to a point; thence North 28 degrees 22 minutes 42 seconds West a distance of 437.02 feet to a point thence North 60 degrees 18 minutes 29 seconds West a distance of 384.97 feet to a point; thence South 35 degrees 21 minutes 59 seconds East a distance of 477.07 feet to the point of beginning containing 5.426 acres, more or less.

BEING a portion of the property conveyed to Highway 96 Partners, LP, by Deed of Record in Book 8353, page 806, Register's Office for Davidson County, Tennessee.