PICK-UP

**THIS INSTRUMENT PREPARED BY & RETURN TO:**
Joel A. Freedman, Attorney
**Priority Trustee Services of TN, L.L.C.**
3300 N.E. Expressway, Building 8
ATLANTA, GA 30341

Davidson County DEEDTRS
Recvd: 05/13/03 11:23 2pgs
Fees:13.00 Taxes:108.69
20030513-0064093

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 21, 1995, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument 9897, Page 833, ("Deed of Trust"), Susan L. Kelley conveyed to Donna E. Amonette, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to The Bank of New York, as Trustee under the Pooling and Servicing Agreement dated as of February 29, 1996, Series 1996-A; and

WHEREAS, **The Bank of New York, as Trustee under the Pooling and Servicing Agreement dated as of February 29, 1996, Series 1996-A,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 200204150046192,** in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 4/3/03, 4/10/03, 4/17/03, in THE NASHVILLE RECORD, by which advertisement the sale was held on May 1, 2003, at the At the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Higgins, Himmelberg & Piliponis, P.L.L.C., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **James Roberts**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of **$ 29,375.00**; and

WHEREAS, **James Roberts** has/have complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by **James Roberts** as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **James Roberts**, his/her/their successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Certain real estate in Davidson County, Tennessee, as follows: Land in Davidson County, Tennessee, being Lot No. 145 on the plan of Grandview Heights as of record in Book 161, page 15, Register's Office for said County. Said Lot No. 145 fronts 50 feet on the easterly side of Winford Avenue and runs back between parallel lines 150 feet to an alley. Being the same property conveyed to James M. Kelley and wife, Suzi L. Kelley, by deed from Valllis Rubin Alexander and wife, Zelma Alexander, dated March 28, 1977, recorded April 6, 1977, of record in Book 5131, Page 444, in the Register's Office for Davidson County, Tennessee. The said James M. Kelley and Suzi L. Kelley, AKA Susan L. Kelley having since divorced and James M. Kelley conveyed property to Susan L. Kelley by Quit Claim Deed recorded simultaneously herewith. Said premises known as: 2310 Winford Avenue, Nashville, Tennessee 37211. Being the same premises conveyed to the mortgagor by deed dated December 21, 1995, filed in the Office of the Register's in the County of Davidson in Book, Page.

The last recorded Warranty Deed was filed of record at Book 9897, Page 831, in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto forever, to **Capital Journey, c/o James Roberts**, his/her/their successors and assigns, whom the said, **Priority Trustee Services of TN, L.L.C.**, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, **Priority Trustee Services of TN, L.L.C.**, Substitute Trustee, has hereunto set his hand, this 8 day of May, 2003.

**Priority Trustee Services of TN, L.L.C.**
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On this 8 day of May, 2003, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared , Dionne Simmons, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Priority Trustee Services of TN, L.L.C.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the limited liability company by himself or herself as such officer or member.

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

Notary Public

My Commission Expires: 2/23/07

JEAN DENNY COMM. EXP. NOTARY PUBLIC 02-23-07 GWINNETT COUNTY, GA

**********

STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 29,375.00, 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 THIS 8 DAY OF MAY 2003.

Notary Public

My Commission Expires: 2/23/07

JEAN DENNY COMM. EXP. NOTARY PUBLIC 02-23-07 GWINNETT COUNTY, GA

**********

**MSP No.: 560.016283TN (Kelley)**
**Lender Loan No.: 0072721574**
**Property Address: 2310 Winford Avenue, Nashville, TN 37211**
**Tax Parcel ID No.: 118-04;241.00**
Mail Tax Notices To and Property Owner:
Capital Journey, c/o James Roberts
201 Thompson Lane, Suite 200
Nashville, TN 37211