PREPARED BY:
Stuart E. Duncan
Duncan, Mosley & Hatcher
701 Market Street, Suite 1000
Chattanooga, Tennessee 37402

New Owner
SEND TAX NOTICE TO:
Grantee- Bank One, N.A.
P.O. Box 2071, Mail Code WI1-4030
Milwaukee, Wisconsin 53201-2071

Davidson County DEEDTRS
Recvd: 05/31/03 13:18 2pgs
Fees:13.00 Taxes:742.35
20030531-0074142

MAP GROUP AND PARCEL NUMBER: 043.00/007.15

TRUSTEE'S DEED

WHEREAS, a Deed of Trust was executed by Thomas and Gail Childress husband and wife, to William D. Castleman, Trustee, for the use and benefit of Bank One, N.A. on March 7, 2000 and recorded in **Book 11692, Page 780** in the Register's Office of Davidson County, Tennessee conveying the hereinafter described real property in trust to secure payment of a promissory note, and said Deed of Trust, and

WHEREAS, under the terms of said Deed of Trust, Stuart E. Duncan was appointed substitute trustee on September 11, 2002, which is of record as **Instrument No. 20029170113150** in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in payment of installments maturing on the above described promissory note and in performance of the covenants contained in the Deed of Trust by reason of which the entire balance owing thereon was declared due and payable, the default being made in payment thereof, and such default continuing; and

WHEREAS, by virtue of the power and authority vested in him as substitute trustee, the said Stuart E. Duncan, at the request of the owner of said note, and for the purpose of effecting payment in satisfaction thereof, principal and interest, attorney's fees and costs of sale, pursuant to the advertisement published in *The Nashville Record,* a newspaper published and of general circulation in Davidson County, Tennessee, in its issues of May 1, 2003, May 8, 2003 and May 15, 2003, offered for sale and sold on May 23, 2003 at 10:00 a.m., at public outcry to the highest and best bidder for cash at the courthouse in the City of Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale, Bank One, N.A, being the highest and best bidder, and for the sum of **TWO HUNDRED THOUSAND SIX HUNDRED THIRTY FIVE AND 00/100 DOLLARS ($200,635.00)** became the purchaser thereof.

NOW THEREFORE, Stuart E. Duncan, substitute trustee, exercising the power and

authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer and convey unto Bank One, N.A., the following described property located at: **5005 Traceway Drive, Nashville, Tennessee 37221** and more particularly described as follows:

LAND in Davidson County, Tennessee BEING Lot No. 200 on the Plan of Traceside Section Ten, Revision One, of record in Plat Book 9700, page 827, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a complete and accurate description thereof.

Being the same property conveyed to THOMAS CHILDRESS AND WIFE, GAIL CHILDRESS, by deed from CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, of record in Book 11692, page 766, said Register's Office.

THIS CONVEYANCE is made subject to any and all prior unpaid mortgages and liens, zoning regulations, building restrictions and setback lines, restrictive covenants, if any, and easements and rights for public utilities applicable to this property, and real estate taxes which may be outstanding and due as of date of sale.

TO HAVE AND TO HOLD the said described real estate unto Bank One, N.A., its successors and assigns forever in fee simple.

IN WITNESS WHEREOF, Stuart E. Duncan, substitute trustee, has caused this instrument to be executed on this the 23 day of May 2003.

STUART E. DUNCAN
Substitute Trustee for Bank One, N.A.

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, notary public of said county, STUART E. DUNCAN, Substitute Trustee for BanK One, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained as Substitute Trustee for Bank One, N.A.

Witness my hand, at office, this the 23 day of May 2003.

Notary Public: Lesley A Curry My Commission Expires: Sept. 16, 2005

I swear that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$200,635.00** which amount is equal to or greater than the amount which the property transferred would commend at a fair and voluntary sale.

Affiant

Sworn to before me this the
23rd day of May, 2003.

Notary Public: Lesley A Curry My Commission Expires: Sept. 16, 2005