THIS INSTRUMENT PREPARED BY:
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Davidson County DEEDTRS
Recvd: 07/09/03 07:19 3pgs
Fees:18.00 Taxes:186.29
20030709-0094287

SUBSTITUTE TRUSTEE'S DEED

Address New Owner and Send Tax Bills To:

Bank One
N54 W13600 Woodale Drive
Mail Station WI1-4030
Menomonee Falls, WI 53051

Map-Parcel Numbers:

72-11-440.00

WHEREAS, Default having been made in the terms and conditions of payments, pursuant to a certain Deed of Trust executed by James Kevin Smith, to Michael I. Mossman, Trustee, dated the 9th day of November, 2001, and being of record at Instrument No. 20011116-0125921, Register's Office for Davidson County, Tennessee, referred to herein as the deed of trust, which conveyed certain real property, appurtenances, estate, title and interest therein in trust to secure the indebtedness described therein, which indebtedness is now due and unpaid and has been declared in default by the lawful owner thereof, Bank One.

WHEREAS, Appointment of Substitute Trustee having been duly executed by the holder of the note and beneficiary of said Deed of Trust, Appointment of Substitute Trustee being of record at Instrument No. 20030521-0069710 in the Register of Deed's Office, Davidson County, Tennessee, and appointing William Timothy Hill as Substitute Trustee.

WHEREAS, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder of said debt has called upon the Substitute Trustee to foreclose the Deed of Trust; and

WHEREAS, the Substitute Trustee, after due advertisement as required by law and as required by the terms of the Deed of Trust, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve o'clock noon (12:00 noon), June 30, 2003, at the Davidson County Courthouse, Nashville, Tennessee, when and where Bank One ("Grantee"), became the last and highest bidder at the price of Fifty Thousand Three Hundred Forty-Eight and 00/100 ($50,348.00) Dollars.

NOW, THEREFORE, in his capacity as Substitute Trustee, and not otherwise, and in consideration of the premises and payment of the sum stated above, the receipt and sufficiency of which are acknowledged, William Timothy Hill, Substitute Trustee, hereby conveys the Property described hereto in Exhibit "A", to the Grantee and the Grantee's heirs or successors and assigns.

TO HAVE AND TO HOLD the Property in as full and complete manner as the undersigned, in his capacity as Substitute Trustee, and not otherwise, has the power to convey.

William Timothy Hill, as Substitute Trustee, and not otherwise, warrants the title to the Property to the Grantee and Grantee's heirs or successors and assigns, against the lawful claims of all persons claiming by, through or under him. The quantity or quality thereof, and expressly subject to the following:

1. Any and all unpaid taxes and assessments, plus interest and penalty, if any.

2. Any and all other prior restrictions, encumbrances, or liens of any nature.

Words used herein indicating number or gender shall be read as context may require.

Dated this 30th day of June, 2003.

William Timothy Hill, as
Substitute Trustee and not otherwise

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for said County and State, the within named William Timothy Hill, Substitute Trustee, 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 contained therein.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of June 2003.

Notary Public

My commission expires: 7/24/03

The actual consideration for this transfer or value of the property transferred, whichever is greater, is $50,348.00.

Affiant

Subscribed and sworn to before me this 30th day of June, 2003.

Notary Public

My commission expires: 7/24/03

EXHIBIT "A"

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows to wit:

Being Lot No. 4 on the Plan of Riverside Drive Subdivision, of record in Plan Book 974, page 60, Register's Office of Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

BEING the same property conveyed to James Kevin Smith from Alvis Terry dean and wife, Laura Dawn Dean by Warranty deed May 6, 1998 and recorded May 20, 1998 in Book 10939, page 371, Register's Office for Davidson County.

This conveyance is subject to all matters of record on plat in Plat Book 974, page 60, Register's Office for Davidson County.

This conveyance is made subject to all zoning regulations, building restrictions, easements, rights of public utilities or other governmental regulations applicable to the foregoing property.

This is improved property known as 2011 Riverside Drive, Nashville, TN 37216.