This Instrument Prepared By:
Joseph T. Phillips
MILLER & MARTIN LLP
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

Davidson County DEEDTRS
Recvd: 10/07/03 11:21 3pgs
Fees:17.00 Taxes:0.00
20031007-0148248

Name and Address of New Owner:	**Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:**	**Tax Map & Parcel No.:**
Robert Fletcher Lance, Jr. 2300 Sterling Road Nashville, TN 37215	Same	132-10-0-013.00

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 3rd day of October, 2003 from Joseph T. Phillips as Grantor, in his capacity as Substitute Trustee, to Robert Fletcher Lance, Jr. as Grantee.

W I T N E S S E T H:

WHEREAS, on July 30, 1997, D. Michael Herndon and Douglas O. Herndon executed a Deed of Trust (the "Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness held by and owing to AmSouth Bank, successor in interest to First American National Bank ("Bank"), said indebtedness being more particularly described in the Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee in Book 10551, Page 158, to which reference is hereby made; and

WHEREAS, default was made in the payment of the aforesaid indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, pursuant to the terms of the Deed of Trust, Joseph T. Phillips was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Instrument 20030116-0006874 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Bank, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment and satisfaction of the indebtedness, including principal, interest, late charges, attorney fees and costs of sale, I, Joseph T. Phillips, as Substitute Trustee, by and through my agent, did on October 3, 2003 commencing at 10:30 a.m., pursuant to advertisement of sale published in *The Nashville Record* in its editions of September 11, 2003, September 18, 2003, and September 25, 2003, offer for sale and sold at public auction to the highest and best bidder for cash at the corner of 5th and Broadway at the

Gaylord Entertainment Center in front of the Register of Deeds Office in the city of Nashville, Tennessee, in bar of the equities of redemption, statutory redemption, dower, homestead and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee became the highest and best bidder at and for the sum of One Hundred Sixty-One Thousand Fifty and no/100 Dollars ($161,050.00);

NOW, THEREFORE, I, Joseph T. Phillips, Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the following described real estate located in the city of Nashville, County of Davidson, State of Tennessee:

> Land in Davidson County, Tennessee, being in the 7th, formerly the 11th, Civil District, being part of Lot 18 as shown on the Plan of Oakhill Subdivision of record in Book 547, page 49 Register's Office for Davidson County, Tennessee and more particularly described as follows:
>
> Beginning in the northerly margin of Battery Lane at the southeast corner of the property conveyed to C. Andrew Ellner by Anne S. Benedict by deed of record in Book 1677, page 247, Register's Office for said County; thence north 2 degrees 45 minutes east 506 feet to an iron pin; thence south 70 degrees 30 minutes east 135 feet to an iron pin; thence south 2 degrees 45 minutes west 506 feet to an iron pin in the north margin of Battery Lane; thence with said margin of said Lane westwardly 135 feet to the point of beginning.
>
> Being the same property conveyed to D. Michael Herndon, a single person and Douglas O. Herndon, a married person, by Warranty Deed from Robert F. Seidel and wife, Sandra Seidel, of record in Book 10551, page 155, Register's Office for Davidson County, Tennessee.
>
> D. Michael Herndon and Michael Herndon being one and the same person.
>
> The property described herein is not the homestead of D. Michael Herndon or Douglas O. Herndon.
>
> The property address is believed to be:
> 868 Battery Lane, Nashville, Tennessee 37220

For source of Grantor's equitable interest in the property, reference is made to Book 10551, Page 158, Register's Office of Davidson County, Tennessee. The legal description is unchanged from prior deed of record.

The Substitute Trustee does hereby quitclaim unto Grantee all of his right, title and interest in the said property and not further or otherwise and subject to any governmental zoning or subdivision ordinances or regulations in effect thereon and further subject to any unpaid taxes or assessments owing on the property.

IN WITNESS WHEREOF, I, Joseph T. Phillips, Substitute Trustee, have executed this instrument to be effective the date first above written.

J.T. Phillips

Joseph T. Phillips, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Before me, personally appeared Joseph T. Phillips, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument in behalf of himself as Substitute Trustee, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

WITNESS my hand and seal, at office, this 3rd day of October, 2003.

Sharon A. Diegel

Notary Public
My Commission Expires: 3/28/05
[AFFIX SEAL]

SHARON A. DIEGEL NOTARY PUBLIC AT LARGE HAMILTON CO. TN

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $161,050.00.

J.T. Phillips

Joseph T. Phillips, Substitute Trustee

Sworn to and subscribed before me
this 3rd day of October, 2003.

Sharon A. Diegel

Notary Public
My Commission Expires: 3/28/05
[AFFIX SEAL]

SHARON A. DIEGEL NOTARY PUBLIC AT LARGE HAMILTON CO. TN