Tennessee
Map: #147-16-93

Donald Franz
NCHLS: #1004017008

Davidson County DEEDTRS
Recvd: 10/17/03 08:15 4pgs
Fees:23.00 Taxes:231.99
20031017-0153720

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 14, 2000, and recorded in Instrument No. 200001250008150 and rerecorded in Instrument No. 200003080023993 in the Register's Office of Davidson County, Tennessee, Donald L. Franz married, and wife, Colleen F. Franz, conveyed to National Escrow Title Company, Trustee(s), the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 20030701-0090369 in the Register's Office of said County; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust by which advertisement the sale was appointed to be held on October 7, 2003, at the outside the door of the Register of Deeds office located at 501 Broadway Suite 501, Gaylord Entertainment Center of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale NATIONAL CITY HOME LOAN SERVICES, INC., a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of SIXTY TWO THOUSAND SEVEN HUNDRED DOLLARS AND 00/100; and,

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by NATIONAL CITY HOME LOAN SERVICES, INC. of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said NATIONAL CITY HOME LOAN SERVICES, INC., its successors and assigns in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Land in Davidson County, Tennessee, being Lot No. 340 on the plan of Fairlane Park, section III, as of record in Book 2331, pages 145 and 146, Register's Office for Davidson County, Tennessee. Said Lot No. 340 fronts 65 feet on the south side of Melpar Drive and runs back 204 feet on the west line and 201.3 feet on the east line to a dead line on which it measures 65.1 feet.

Donald L. Franz and wife, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT #200001250008149 and re-recorded in REGISTER'S INSTRUMENT #200003080023992, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

Proper notice of this sale has been given to the Internal Revenue Service and to the State of Tennessee. This sale is made subject to the redemption rights of the Internal Revenue Service and the State of Tennessee.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto NATIONAL CITY HOME LOAN SERVICES, INC., its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

The said Substitute Trustee has applied the consideration as follows:

Recording Appointment of Substitute Trustee	12.00
Publication Expense	255.00
Attorney's Fees and Trustees Fees	550.00
Credit on Note	61,883.00
	$62,700.00

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

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on October 7, 2003 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On October 7, 2003 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

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

NOTARY PUBLIC

BRENDA DOYLE NOTARY PUBLIC AT LARGE MY COMM. EXP. 11-14-04 SHELBY CO., TN

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
381 Melpar Drive,
Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

NATIONAL CITY HOME LOAN SERVICES, INC.
150 ALLEGHENY CENTER MALL
PITTSBURGH, PA 15212

Mortgagee: None

This instrument prepared by:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103

RETURN TO:→

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 62,700.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF
Oct. 14 20 03
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-14-04

BRENDA DOYLE NOTARY PUBLIC AT LARGE MY COMM. EXP. 11-14-04 SHELBY CO., TN

STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
EMPLOYMENT SECURITY DIVISION
Legal Office
William R. Snodgrass Tennessee Tower, 26th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0100
(615) 741-3170
(615) 532-7386 FAX

September 10, 2003

Mr. Arnold M. Weiss
Law Offices
208 Adams Avenue
Memphis, TN 38103-1991

RE: Property of Donald & Colleen Franz dba Building block Daycare Academy Chldcr Ctr
TDLWD Acct. #444-581
TDLWD Lien #1-5321 (Davidson County)
National City Loan #1004017008
Notice of Substitute Trustee's Sale

Dear Mr. Weiss:

Your letter of August 27, 2003, is acknowledged, along with the attendant Notice of Foreclosure, and this will respectfully advise:

1. That said Notice is accepted as being timely and adequate; and,

2. That the amount of delinquent unemployment taxes, penalty and interest computed to date of sale is $180.50.

It is requested that you further advise us after the sale regarding: (i) actual proceeds of sale; (ii) net mortgage balance owed to the foreclosing creditor; (iii) sale costs; (iv) other liens, and this Agency's apparent position of priority with respect to same; and, (v) your proposed distribution of sale proceeds.

Should you have further questions regarding this matter, please let us know.

Sincerely,

Michael D. Fort
Counsel to Commissioner

MDF:PDR

cc: James A. Matheney, Central Office

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

September 9, 2003

Law Offices of Arnold M. Weiss
208 Adams Avenue
Memphis, Tennessee 38103-1991

Dear Mr. Weiss:

This is to acknowledge receipt of your correspondence dated August 27, 2003 regarding Colleen F. Franz, 381 Melpar Drive, Nashville, Tennessee 37211, TIN 62-1611036/408-35-6065. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986. **NOTE: The Notices of Federal Tax Liens filed on 07-08-1998 in Book 11012, Page 682, 07-08-1998 in Book 11012, Page 680 and 10-19-1999 in Book 11707, Page 753 are senior to the foreclosing instrument and will survive the sale.**

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown below.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487, by calling 1-800-TAX-FORM. A payment may be required to secure a release.

We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.

If you have any questions, please contact P. Jackson, badge number 62-09322, telephone number, (615)250-5749, fax to (615)250-5406, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.

Sincerely,

Patricia Jackson

for K. Scott Franks
Technical Services Group Manager

Enclosure