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

Davidson County DEEDQC
Recvd: 10/30/03 09:29 3pgs
Fees:18.00 Taxes:372.96
20031030-0159647

Name and Address of New Owner:

AmSouth Bank
RCN4
P.O. Box 10063
Birmingham, AL 35202-0063

Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:

Same

Tax Map & Parcel No.:

105-05-0/505

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 24th day of October, 2003 from Joseph T. Phillips as Grantor, in his capacity as Substitute Trustee, to AmSouth Bank as Grantee.

W I T N E S S E T H:

WHEREAS, on March 5, 1999, A. Brian Yandell, unmarried, 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 ("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 11378, Page 580, 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 20030925-0141912 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 24, 2003 commencing at 10:30 a.m., pursuant to advertisement of sale published in *The Nashville Record* in its editions of October 2, 2003, October 9, 2003, and October 16, 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 of Davidson County 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 Thousand Eight Hundred and no/100 Dollars ($100,800.00);

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 Lot No. 9, on the Map of Waverly Place of record in Book 57, page 95, the southeast corner of Lot No. 31, on the Map of Fairview Addition as of record in Book 57, page 94, Register's Office for Davidson County, Tennessee, and a part of Morningvale Avenue lying between said two lots, together described as follows:
>
> Beginning at the northeast corner of Argyle Avenue and an alley opened through said Lot no. 31, thence with the easterly margin of said alley northerly 201.5 feet to the southerly margin of an alley running parallel with Argyle Avenue; thence with the southerly margin of said alley easterly 50 feet; thence southerly parallel with the first line 201.5 feet to the northerly margin of said Avenue; thence with said margin westerly 50 feet to the beginning.
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> The property address is believed to be:
> 840 Argyle Avenue, Nashville, TN 37203

For source of Grantor's equitable interest in the property, reference is made to Book 11378, Page 580, 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 24th 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 $100,800.00.

J. T. Phillips

Joseph T. Phillips, Substitute Trustee

Sworn to and subscribed before me
this 24th 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