FILE NO.: 220.0314188TN\jtw
LOAN NO.: 8044052143\CONV

THIS INSTRUMENT PREPARED BY & RETURN TO:
Priority Trustee Services of TN, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341

Davidson County DEEDTRS
Recvd: 11/17/03 08:08 2pgs
Fees:13.00 Taxes:135.28
20031117-0167027

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 30, 2001, and recorded in the Register's Office of Davidson County, TN, at Instrument 20010605-0058129, ("Deed of Trust"), Herschel Vaughn conveyed to Terry Beville, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2; and

WHEREAS, **The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 20031015-0152585** in the Register's Office of Davidson County, TN; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of TN and the terms and provisions of said Deed of Trust on 10/16/03, 10/23/03 and 10/30/03, in THE NASHVILLE RECORD, by which advertisement the sale was held on November 6, 2003, at the At the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Higgins, Himmelberg & Piliponis, P.L.L.C., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2,** being the highest, best and last bidder, became the purchaser of said property at and for the sum of $36,563.50; and

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2 as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C.,** as Substitute Trustee, does hereby grant, bargain, sell and convey unto **The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows: Being the North 30.5 feet of Lot no. 57 and the south 12.5 feet of Lot No. 58 on the map of D. T. McGavock's Subdivision of record in Book 21, page 84, R.O.D.C., Tennessee. Said parts of said lots adjoin and front together 43 feet on the east side of 4th Avenue north and run back between parallel lines 161 feet to an alley. Being the same property conveyed to Herschel Vaugn by quitclaim Deed from Lucille Gardner, dated May 20, 1993, recorded May 25, 1993, in Book 8957, page 934, Register's Office for Davidson County, Tennessee. Also acquired by instruments of record in Book 8957, page 933 and Book 8957, page 931, in the Register's Office for said County.

The last recorded Warranty Deed was filed of record at Instrument 8957 in the Register's Office of Davidson County, TN.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said **The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2,** its successors and assigns forever, to whom the said, **Priority Trustee Services of TN, L.L.C.**, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, **Priority Trustee Services of TN, L.L.C.,** Substitute Trustee, has hereunto set his hand, this 6th day of November, 2003.

Priority Trustee Services of TN, L.L.C.
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On this 6th day of November, 2003, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared , Dionne Simmons, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Priority Trustee Services of TN, L.L.C.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the limited liability company by himself or herself as such officer or member.

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

Notary Public

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 GWINNETT COUNTY

My Commission Expires: _____

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STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $36,563.50, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 6TH DAY OF NOVEMBER 2003.

Notary Public

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 GWINNETT COUNTY

My Commission Expires: _____

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MSP No.: 220.0314188TN (Vaughn)
Lender Loan No.: 8044052143
Property Address: 1826 4th North Avenue N, Nashville, TN 37208
Tax Parcel ID No.: 81 - 08; 300.00

Mail Tax Notices To and Property Owner:
Fairbanks Capital Corp.
3815 South West Temple
Salt Lake City, UT 84115