PICK-UP

This Instrument Prepared By:

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Davidson County DEEDTRS
Recvd: 01/30/04 08:35 2pgs
Fees:13.00 Taxes:18.50
20040130-0011469

SUBSTITUTE TRUSTEE'S DEED

Address New Owner(s) As Follows:	Send Tax Bills To:	Map-Parcel Nos.
Cherry Tree Properties, Inc. 1224 5th Avenue, North Nashville, Tennessee 37208	Same	Map No. 081-08-0 Parcel 490.00

I, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $5,000.00.

Affiant

Subscribed and sworn to before me, this 10th day of October, 2003.

Notary Public

My Commission Expires: January 28, 2006

WHEREAS, by Installment Deed dated September 6, 1995 and recorded in Book 9789, Page 133, Register's office for Davidson County, Tennessee, Tonya R. Robinson and Willie Ruth Robinson, conveyed to J. A. Carney, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein set forth; and

WHEREAS, the holder of the debt secured the appointment of undersigned as Substitute Trustee by instrument of record in Instrument No. 20030908-0131053, said Register's office; and

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

WHEREAS, in pursuance of said request of said beneficiary, the said property was advertised for sale in conformity with the terms and provisions of said Installment Deed and such ad appeared in The Nashville Record on September 18, 2003, September 25, 2003, and October 2, 2003; and

WHEREAS, pursuant to the Notice of Sale, the foreclosure sale was appointed to be held on the 10th day of October, 2003, at 12:00 o'clock p.m. at the front door of the Davidson County Register's Office, 501 Broadway, Nashville, 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, Cherry Tree Properties, Inc., being the highest and best bidder became the purchaser of said property at and for the sum of Five Thousand Dollars ($5,000.00).

NOW, THEREFORE, in consideration of the premises, and the said purchase price bid and paid, undersigned, as the Substitute Trustee, does hereby grant, bargain, sell, transfer, and convey unto Cherry Tree Properties, Inc., the following real estate:

> Land in Davidson County, Tennessee, being the northerly 27.5 feet of Lot No. 31 in D.T. McGavock's Homestead Addition to Nashville, a plan of which is of record in Book 57, Page 9,

Register's Office for said County.

Said part of said Lot No. 31 fronts 27.5 feet on the westerly side of 6th Avenue North, formerly High Street, and runs back between parallel lines 175 feet to an alley.

Being the same property conveyed to Tonya R. Robinson and Willie Ruth Robinson by Installment Deed from Wayne M. McInturff and wife, Emma S. McInturff of record in Book 9789, Page 133, Register's Office for Davidson County, Tennessee.

to have and to hold the same, together with all the hereditaments, improvements, buildings, easements, and appurtenances therein and thereunto belonging and appertaining, in fee simple, forever and free from all homestead, dower, equitable right of redemption, statutory right of redemption, marital share and all other exemptions and redemptive rights of every kind in the makers of said Installment Deed, and all persons claiming through and under said makers.

UNDERSIGNED, as Substitute Trustee, does hereby transfer, assign, and set over unto Cherry Tree Properties, Inc., its successors and assigns, all of the covenants or warranties contained in the aforesaid Installment Deed, and does hereby warrant the title to the aforesaid real estate as fully and completely as he is authorized to do as such Substitute Trustee, but no further or otherwise. Undersigned makes no warranties as to condition, location or set back of improvements on the property. The property is subject to all easements or restrictions of record in the Register's Office. This conveyance is subject to such priority tax liens and prior encumbrances as may appear of record, as well as all ad valorem property taxes which may be of record or applicable to said property.

The designation of the parties to this instrument in either the plural or singular shall be applied to mean either number, and where appropriate in the context hereof, shall mean any one or more of said parties, and any pronoun used herein shall include the masculine, feminine and neuter genders.

IN WITNESS WHEREOF, undersigned has hereunto set his hand and seal, this 10th day of October, 2003.

David M. Smythe
Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Shelby L. Orr, a Notary Public in and for the said county and State, the within named bargainor, David M. Smythe, Substitute Trustee, with whom I am personally acquainted, (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at office this 10th day of October, 2003.

Notary Public

My Commission Expires: January 28, 2006