FILE NO.: 382.0318537TN\bab
LOAN NO.: 0431842780\CONV

Davidson County DEEDTRS
Recvd: 02/06/04 09:26 2pgs
Fees:13.00 Taxes:195.36
20040206-0014566

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

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 28, 2000, and recorded in the Register's Office of Davidson County, TN, at Instrument 200002070012114, ("Deed of Trust"), Peggy Cottles conveyed to American Title Company, Inc., 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 Bank One, National Association, as Trustee; and

WHEREAS, **Bank One, National Association, as Trustee,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 200401290011092** 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 December 25, 2003, January 1, and January 8, 2004, in THE NASHVILLE RECORD, by which advertisement the sale was held on January 29, 2004, 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 **Bank One, National Association, as Trustee**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 52,800.00; 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 Bank One, National Association, as Trustee 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 **Bank One, National Association, as Trustee,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Property located at 115 1/2 McArthur Drive, Madison, TN 37115, County of Davidson, and described as follows: Land in Davidson County, Tennessee, being the Southerly 50 feet of Lot No. 103 on the unrecorded Plan of Tracts 1 and 13 of the Anderson Estates, said tract being a part of a recorded plan of the Anderson Estates, of record in Book 1130, Page 37, Register's Office for Davidson County, Tennessee, and said part of said lot described according to a survey made by Anderson and Gee, Surveyors, dated August 5, 1964, as follows: Beginning at a point on the Westerly margin of McArthur Drive 662.08 feet Northerly from a concrete monument at the N.W. corner of McArthur Drive and Old Hickory Boulevard, said point being the common corner of Lots 102 and 103 of said subdivision; thence Westerly with the dividing line between Lots Numbers 102 and 103, 159.5 feet to a point; thence North 4 degrees, 50 minutes East 50 feet to a point; thence Eastwardly parallel with the dividing line between Lots Nos. 102 and 103, 157 feet, more or less, to a point on the West margin of McArthur Drive; thence Southerly with the Westerly margin of McArthur Drive, 50 feet to the point of beginning. Being the same property conveyed to Peggy Cottles by Warranty Deed from H. Michael Haynes and Susan H. Haynes which is of record in Book 8363, Page 567, Register's Office for Davidson County, Tennessee.

The last recorded Warranty Deed was filed of record at Book 8363 Page 567 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 **Bank One, National Association, as Trustee,** 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 29th day of January, 2004.

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

STATE OF GEORGIA
COUNTY OF DEKALB

On this 29th day of January, 2004, 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.

BRIDGETT A. BROWN NOTARY EXPIRES GEORGIA OCT. 23, 2007 PUBLIC GWINNETT COUNTY

Notary Public

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 $ 52,800.00, 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 29TH DAY OF JANUARY 2004.

BRIDGETT A. BROWN NOTARY EXPIRES GEORGIA OCT. 23, 2007 PUBLIC GWINNETT COUNTY

Notary Public

My Commission Expires: _____

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MSP No.: 382.0318537TN (Cotoles)
Lender Loan No.: 0431842780
Property Address: 115 1/2 McArthur Drive, Madison, TN 37115
Tax Parcel ID No.: 43-11;103.00

Mail Tax Notices To and Property Owner:
Homecomings/Fidelity National Foreclosure & Bankruptcy
Suite 200, 1270 Northland Drive
Mendota Height, MN 55120