Davidson County DEEDTRS
Recvd: 02/20/04 09:55 4pgs
Fees:23.00 Taxes:327.39
20040220-0019601

This Instrument Prepared By:
R. Grant Dobson
MILLER & MARTIN LLP
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

Name and Address of New Owner:	**Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:**	**Tax Map & Parcel No.:**
AmSouth Bank RCN4 P.O. Box 10063 Birmingham, AL 35202-0063	Same	037-00-0-002.00

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 6th day of February, 2004 from R. Grant Dobson 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, 2000, Donald R. Stewart and Barbara F. Stewart executed a Deed of Trust ("Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness ("Indebtedness") held by and owing to AmSouth Bank, successor in interest to First American National 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 ("Register's Office") in Instrument 200003310032293 and re-recorded in Instrument 200202210022533, to which reference is hereby made;

WHEREAS, default was made in the payment of the 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;

WHEREAS, pursuant to the terms of the Deed of Trust, R. Grant Dobson was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Instrument 20031208-0175513 in the Register's Office; 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, R. Grant Dobson, as Substitute Trustee, by and through my agent, did on February 6, 2004 commencing at 10:30 a.m., pursuant to advertisement of sale published in *The Nashville Record*

in its editions of January 15, 2004, January 22, 2004, and January 29, 2004, 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 Deed's Office in the city of Nashville, Tennessee, in bar of the equities of redemption, the statutory right of redemption, dower, homestead, elective share, and all other rights and 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 was the highest and best bidder at and for the sum of Eighty-Eight Thousand Four Hundred Eighty-Four and 08/100 Dollars ($88,484.08).

NOW, THEREFORE, I, R. Grant Dobson, Substitute Trustee, exercising the power and authority vested in me, and free from the equity of redemption, the statutory right of redemption, dower, homestead, elective share, and all other rights and exemptions of every kind, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the following described real estate located in the City of Joelton, County of Davidson, State of Tennessee:

> A tract of land in the 14th Civil District of Davidson County, Tennessee, being part of the Hampton-Tobin 620 acre tract, and being the northwest part of Tract No. 2, as set out and described in the deed from Nashville Trust Company to G. A. Cornwell, et al, of record in Book 1006, page 314, Register's Office for Davidson County, Tennessee, and described according to a copy of a survey thereof by John Setters, Surveyor, in July 1946, as follows:
>
> BEGINNING at a stake in the center line of Cotton Patch Road, at the northwest corner of the property of Leon Gilbert, et al, in the south line of the land of Rose Meadows: thence with the west line of the Gilbert Land, as follows: South 35° East 223 feet to a hickory, South 23° East 140 feet to a spring, South 34° East 234 feet to a stake in a branch in the line of the lands of Cornwell and Higdon; thence with the line of the same as follows: South 86-1/2° West 300 feet to a stake on a hillside; North 36-1/4° West 234 feet to a stake, North 4-1/2° East 130 feet to a persimmon North 64-1/2° West 135 feet to a stake, formerly hickory tree, in the center line of said Cotton Patch Road; thence with the line of the same as follows: North 12° East 12 feet; North 24° East 181 feet, North 53° East 149 feet to the beginning, containing 4 acres, more or less, INCLUDING but EXCLUDING therefrom a strip of land from Station 45 – 38 to Station 49 – 25, extending a minimum distance of 25 feet on the right of the center line, having a width sufficient on which to build a 30 foot flat section road with 15 feet on each side of the center line and provide for drainage and standard slopes in cut and fill, AND a strip of land from Station 40 – 00 to Station 40 – 25 extending a

minimum distance of 25 feet on the left of the center line, having a width sufficient on which to build a 30 foot flat section road with 15 feet on each side of the center line and provide for drainage and standard slopes in cut and fill.

BEING the same property conveyed to Don R. Estes and wife, Barbara Fay Estes, by deed from Louis Leonard Biggs and wife, Catherine Zula Biggs, of record in Book 4801, page 280, Register's Office of Davidson County, Tennessee. By final decree in the Third Circuit Court for Davidson County, Tennessee, Barbara Fay Estes vs. Donald Ray Estes, Case No. 84469, of record in Book 5276, page 420, Register's Office for Davidson County, Tennessee, the entire fee in the above described property was vested in Barbara Fay Estes.

Barbara Fay Stewart and Barbara Fay Estes are one and the same person. Don R. Estes and Donald Ray Estes are one and the same person.

Being the same property conveyed to Donald R Stewart and Barbara F Stewart by warranty deed of Record in Book 6399, Page 664-666, Register's Office for Davidson County.

The property address is believed to be:
5704 Higdon Rd, Joelton, Tennessee 37080

For source of Grantor's equitable interest in the property, reference is made to Instrument 200003310032293 and re-recorded in Instrument 200202210022533 in the Register's Office. The legal description is unchanged from the 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 (i) any governmental zoning or subdivision ordinances or regulations, (ii) any liens and encumbrances superior to the Deed of Trust, (iii) taxes and assessments owing on the property, (iv) all rights of redemption of taxing authorities, and (v) all other matters which are prior in right to the lien of the Deed of Trust.

IN WITNESS WHEREOF, I, R. Grant Dobson, Substitute Trustee, have executed this instrument to be effective the date first above written.

R. Grant Dobson, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Before me, personally appeared R. Grant Dobson, 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 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 6th day of February, 2004.

Notary Public

My Commission Expires February 10, 2007

My Commission Expires: _____

[AFFIX SEAL]

TANYA D. TRAVIS 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 $88,484.08.

R. Grant Dobson, Substitute Trustee

Sworn to and subscribed before me
this 6th day of February, 2004.

Notary Public

My Commission Expires February 10, 2007

My Commission Expires: _____
[AFFIX SEAL]

TANYA D. TRAVIS NOTARY PUBLIC AT LARGE HAMILTON CO., TN