Davidson County DEEDTRS
Recvd: 03/10/04 11:00 3pgs
Fees:17.00 Taxes:0.00
20040310-0027455

This instrument prepared by:

Kleinsmith & Associates, P.C.
6035 Erin Park Drive
Colorado Springs, Co 80918

INST. NO. 20020607-0069829

Responsible Taxpayer and Property Owner:
Tax Parcel No. 161-06-0-227.00

Name: Secretary of Veterans Affairs
an Officer of the United States
of America

Address: Atlanta VA Regional Office
Property Management (264)
1700 Clairmont Road
Decatur, GA 30031-7023

Common Description: 5173 Whitaker
Nashville, TN 37221

Legal Description: Land in Davidson County, Tennessee, being Lot No. 126 on the Plan of Section Two, Huntington Park, of record in Book 4175, Page 108, Register's Office for said County.

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is $119,857.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Philip M. Kleinsmith, Trustee

Sworn to and subscribed before me,
by Philip M. Kleinsmith, Trustee
this 4th day of March, 2004.

Notary Public
My Commission Expires: 12/27/07.

SARAH B. BUNTEN NOTARY PUBLIC STATE OF COLORADO
MY COMMISSION EXPIRES 12/27/2007

SUCCESSOR TRUSTEE'S DEED

Whereas, by virtue of the power and authority vested under that Deed of Trust executed by **Robert H. Garland and Daniel Alessi** dated **5/31/2002** and recorded **6/7/2002** at **INST. NO. 20020607-0069829**, Register's Office of Davidson County, Tennessee, given to secure payment of a certain indebtedness evidenced by a promissory note set forth therein, payable to the order of **Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Countrywide Home Loans, Inc.,** default having been made in the performance of the terms and provisions of the Deed of Trust, demand having been made upon the said Debtor for payment in accordance with the provisions of the Deed of Trust, default having been made in the payment upon demand, said indebtedness described by the said Deed of Trust having been declared to be due and payable in accordance with the terms thereof, said default continuing without reinstatement, at the request of Holder of the note for the purpose of effecting payment of all sums due under the terms of the note and Deed of Trust, principal interest and costs of sale, Philip M. Kleinsmith, Trustee, did on Thursday, **March 4, 2004** at 10:00 a.m. pursuant to the advertisement published in the **Nashville Record News** and sent by mail to the Debtor and lienors of record, offer for sale, at **Front Steps of Old Ben West Libraray Building, 225 Polk Avenue, Nashville**, TN, in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale **Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Countrywide Home Loans, Inc.** became the highest and best bidder(s) at and for the sum of **$119,857.00** and

WHEREAS, the proceeds of the sale were sufficient to satisfy all sums of principal, interest, attorney fees, costs and other sums accruing under the terms of the aforesaid Deed of Trust.

WHEREAS, **Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Countrywide Home Loans, Inc.** directed and instructed the undersigned to transfer, convey and assign the real estate described herein to the Secretary of Veterans Affairs, an Officer of the United States of America, and to deliver the deed of reconveyance to said Department;

NOW THEREFORE, Philip M. Kleinsmith, Trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer, and convey unto **Secretary of Veterans Affairs, an Officer of the United States of America**, Grantee, the following described real estate, to wit:

> **Land in Davidson County, Tennessee, being Lot No. 126 on the Plan of Section Two, Huntington Park, of record in Book 4175, Page 108, Register's Office for said County.**

To HAVE AND TO HOLD said described real estate unto the Grantee, his successors and assigns, forever in fee simple

Sale was advertised and made as Trustee only, without covenants or warranties of title, express or implied, subject to any governmental zoning or subdivision ordinances in effect thereon and this conveyance is so made. However, Grantor, as Trustee, but

not otherwise, hereby assigns and sets over to Grantee all of the covenants and warranties contained in the Deed of Trust recorded **at INST. NO. 20020607-0069829**, referred to therein.

IN WITNESS WHEREOF, Philip M. Kleinsmith, Trustee, has caused these presents to be executed this 4th day of March, 2004

PHILIP M. KLEINSMITH, Trustee

STATE OF COLORADO)
COUNTY OF EL PASO)

Before me, Sarah B. Bunten, a Notary Public , duly appointed, commissioned, and qualified in and for the State and County aforesaid, personally appeared Philip M. Kleinsmith, Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

This the 4th day of March, 2004.

SARAH B. BUNTEN NOTARY PUBLIC STATE OF COLORADO
MY COMMISSION EXPIRES 12/27/2007

Notary Public

My Commission Expires: 12/27/07.