Davidson County DEEDTRS
Recvd: 03/19/04 09:54 3pgs
Fees:18.00 Taxes:235.88
20040319-0031324

ADDRESS OF NEW OWNER	SEND TAX BILLS TO	PREPARED BY:
Aubrey Hiam	Same	John H. Lowe & Assoc.
301 Fairbanks Rd.		405 A Two Mile Pike
Goodlettsville, TN 37072		Goodlettsville, TN

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 3, 1997, of record in Book 10606, Page 402, and assigned to First Union National Bank of North Carolina of record in Book 10746, Page 51, Register's Office for Davidson County, Tennessee, Dixie Lee Herndon, conveyed certain real property therein described to Arnold M. Weiss, Trustee, to secure the indebtedness described in said Deed of Trust; and

WHEREAS, by instrument dated October 28, 2003, John H. Lowe & Associates was appointed Substitute Trustee to serve in the place and stead of Arnold M. Weiss, pursuant to the aforementioned Deed of Trust, said Appointment of Substitute Trustee being recorded in Instrument No. 20031028-0158715, Register's Office for Davidson County, Tennessee; and

WHEREAS, the indebtedness described in said Deed of Trust was not paid in accordance with its terms, and default in the payment thereof was declared; and

WHEREAS, at the request of the lawful owner and holder of the indebtedness secured by said Deed of Trust, the Substitute Trustee gave notice of the time and place of sale, all in accordance with said Deed of Trust, by publishing an advertisement for Three consecutive weeks in the Nashville Record a newspaper published in Davidson, Tennessee, said notice being first published on February 19, 2004, and thereafter on February 26, 2004, and March 4, 2004 which notice of sale advertised the sale of the property hereinafter described for March 17, 2004 at 10:30 A.M.; and

WHEREAS, on March 17, 2004 at 10:30 A.M., at the front door of the Gaylord Entertainment Center, 501 Broadway, Davidson County, Tennessee, being the time and place fixed in said notice, the hereinafter described property was offered for sale at public outcry, cash in hand and in bar of all equities of redemption and all other rights and exemptions of every kind of the Grantors of said Deed of Trust, as provided therein, subject only to liens, encumbrances and other matters which are prior in right to the lien of the aforesaid Deed of Trust and the Substitute Trustee having received a bid of Sixty Three Thousand Seven Hundred Fifty One and 00/100 Dollars ($63,751.00), from an agent of the lawful owner and holder of the indebtedness described in the said Deed of Trust having been received, the receipt of all of which is hereby acknowledged;

NOW, THEREFORE, in consideration of the premises and the sum

bid and paid as herein provided, John H. Lowe & Associates, P.C., Substitute Trustee, does hereby bargain, sell, transfer and convey unto Aubrey Hiam, whose address is 301 Fairbanks Rd., Goodlettsville, Tennessee 37072, his successors and assigns, all of that certain real property in Davidson County, Tennessee, described as follows:

Land in the 11th, formerly the 18th, Civil District of Davidson County, Tennessee and being part of Lot 4 on the Plan Book 2, Page 132 and 133, Chancery Court at Nashville, being Lot No. 9 on the Plan of Riverwood Heights Subdivision, not of record, described according to a survey made by Lewis D. Justice, Surveyor, as follows:
Beginning at a point on the southern boundary line of the land formerly owned by Malone and Williams, S. 74 degrees 15 minutes E. 433.55 feet easterly from the southwest corner of said Malone tract and a corner of the Highland View Subdivision, of record in Book 1424, Page 39, Register's Office for said County, said corner being S. 89 degrees 24 minutes E. 294.2 feet easterly from the easterly margin of Riverwood Circle, said point being also the northeast corner of Lot 8 on said Riverwood Heights plan; thence, with the line between said Lots 8 and 9, southwardly 180 feet to a point on the northerly margin of Shadow Lane; thence with the northerly margin of said Shadow Lane, eastwardly 75 feet to the southwest corner of Lot 10 on said plan; thence with the line between said Lots 9 and 10, northwardly 180 feet to a point on the southerly boundary line of said Malone and Williams tract, westwardly 75 feet to the beginning.

Being the same property conveyed to Dixie Lee Herndon by Quit Claim Deed from Helen S. Herndon, Trustee of the Helen S. Herndon Revocable Living Trust Agreement dated May 12, 1995, of record in Book 9729, Page 752, Register's Office for Davidson County, Tennessee. Map/Parcel 073,05-0-107.00

Street Address: 2317 Shadow Lane, Nashville, Tn. 37216

This legal description is identical with that in Deed of Trust recorded in Book 10606, Page 402, Register's Office Davidson County, Tennessee and assigned to Franklin Credit Management Corp. in Book 10746, Page 51.

TO HAVE AND TO HOLD said real estate, together with all hereditaments, easements, appurtenances, and improvements thereunto belonging, in fee simple, forever, free from all rights or exemptions of the Grantor of said Deed of Trust, subject only to liens, easements, encumbrances and other matters which are prior in right to the lien of the aforesaid Deed of Trust.

John H. Lowe & Associates, as Trustee, does hereby transfer, assign and set over unto said Aubrey Hiam, his successors and assigns, all of the covenants and warranties contained in said Deed of Trust, subject only to the matters herein expressly reserved, and I do hereby warrant the title as fully as I am able to do as

Trustee, but no further or otherwise.

WITNESS my hand as Substitute Trustee on this 17 day of March, 2004.

JOHN H. LOWE & Associates
Substitute Trustee

John H. Lowe

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 17 day of March, 2004, before me personally appeared John. H. Lowe, to me known, who, being by my duly sworn did say that he is a licensed shareholder of John H. Lowe & Associates, P.C. and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and said John H. Lowe acknowledged said instrument to be the free act and of said corporation.

CYNTHIA A. BRAY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires: 1-28-06

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer of value of the property (whichever is greater) is $63,751.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

Affiant

Sworn and subscribed before me this day of March, 2004.

CYNTHIA A. BRAY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires: 1-28-06