Davidson County DEEDTRS
Recvd: 03/29/04 08:38 2pgs
Fees:13.00 Taxes:503.57
20040329-0034611

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

Name: James L. Cotton, and wife, Brenda G. Cotton
S&K#: 04-0071
Loan#: 3792783/685

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 15, 1993, recorded in Book 9160, Page 179, Register's Office of Davidson County, Tennessee, James L. Cotton and wife, Brenda G. Cotton, conveyed to Don Mullinax, Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20040204-0013675, in the Register's Office of Davidson County, Tennessee; and,

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

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on March 10, 2004, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 a.m.; 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 time the said property was struck off and sold to RAY P. PRESLEY, whose address is 6020 Matthew Drive, Hermitage, TN 37076, at and for the sum of $136,100.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by RAY P. PRESLEY, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Joe M. Kirsch, as Substitute Trustee, does hereby grant, bargain, sell, and convey to the said RAY P. PRESLEY, his heir successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 253 on the Plan of Cross Timbers Subdivision, Section 5, of record in Book 4175, Page 115, Register's Office for said County.

Said Lot Number 253 fronts 85 feet on the northerly side of Harness Drive and extends back between lines, 176.8 feet on the easterly side and 176.9 feet on the westerly line, to a line in the rear measuring 85 feet thereon.

This legal description is identical with that in Trust Deed recorded in Book 9160, Page 179, Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 9160, Page 179, Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed recorded in Book 7602, Page 371, Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto RAY P. PRESLEY, his heir successors and assigns, in fee simple forever, to whom the said Joe M. Kirsch, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Joe M. Kirsch, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Joe M. Kirsch
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 10th day of March 2004, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Joe M. Kirsch, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at Office the day and year above written.

JENNIFER SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN

9/20/05
My commission expires:

Notary Public

My commission expires: 12-20-05

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $136,100.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Deana Jenkins
Affiant

Subscribed and sworn to before me on the 19, day of March, 2004.

9/25/04
My commission expires:

Notary Public

TENNESSEE A.D. BROWN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TENN.

My Commission
September

PROPERTY ADDRESS: 7448 Harness Drive, Nashville, TN 37221

RETURN TO:
PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES
RAY P. PRESLEY
6020 Matthew Drive
Hermitage, TN 37076

S & K #:04-0071
Map & Parcel – 142-02-0-226.00

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.