FILE NO.: 590.0404804TN\jcc
LOAN NO.: 7011863805\CONV-2ND

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

Davidson County DEEDTRS
Recvd: 05/13/04 10:51 2pgs
Fees:13.00 Taxes:54.65
20040513-0055832

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 4, 2000, and recorded in the Register's Office of Davidson County, TN, at instrument 200005150048414, ("Deed of Trust"), Donald Jay Whittaker and Valerie E.Whittaker conveyed to Tim 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, **Bank of America NA,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **instrument 200403290035118** 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 3/25/2004, 4/1/2004, 4/8/2004, in THE NASHVILLE RECORD, by which advertisement the sale was held on April 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 of America NA**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 14,770.49; 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 of America NA 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 of America NA,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

All that piece, parcel or lot of land situate, lying and being in Davidson County, TN and known and designated as LOT NO. 1 OF THE LAWRENCE AVENUE BOUNDARY PLAT & SUBDIVISION PLAT OF RECORD IN Book 7900, page 91, of the Davidson County Register of Deeds Office, reference to which is hereby made for a more particular description.
Being the same property conveyed from KENNETH C. PARRISH AND WIFE, JULIE PARRISH to DONALD JAY WHITTAKER by deed dated 09/20/91 and recorded 09/27/91 in book 8451, page 563 of the public records of Davidson County, TN.
Tax Map Reference: 43-01 86.00

The last recorded Warranty Deed was filed of record at instrument8451 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 of America NA,** 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 April, 2004.

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

STATE OF GEORGIA
COUNTY OF DEKALB

On this 29th day of April, 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.

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 CLAYTON 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 $ 14,770.49, 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 APRIL 2004.

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 CLAYTON COUNTY

Notary Public

My Commission Expires: _____

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MSP No.: 590.0404804TN (Whittaker)
Lender Loan No.: 7011863805
Property Address: 1401 Pierce Road, Madison, TN 37115
Tax Parcel ID No.: 43-1;86.00

Mail Tax Notices To and Property Owner:
Bank of America (FL) / FNFS
1270 Northland Drive
Mendota Height, MN 55120