Instrument prepared by:
Wilson and Associates, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
V2008-3335
8790480084

Davidson County DEEDWARR
Recvd: 05/26/04 10:31 3pgs
Fees:18.00 Taxes:841.75
20040526-0061726

SPECIAL WARRANTY DEED
(Corporation)

Special warranty deed made on the 6 day of April, 2004, by The Bank of New York, acting solely in its capacity as Trustee for EQQC Trust 2001-2, by its duly authorized attorney in fact, Fairbanks Capital Corp.

Grantor, being duly authorized by resolution of its board of directors or otherwise, hereby conveys to Eric S. Spencer and Matthew P. Spencer, Grantees, the following land in Davidson County, Tennessee:

Land in Davidson County, Tennessee, being Lot Number 91 on the Final Plat of Section 1, Woodland Forest, Planned Unit Development, as of record in Book 6900, Pages 534, 535, and 536, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate legal description thereof.

There is conveyed with the above described property an undivided interest in and to the general and/or restricted common areas and facilities of Section 1, Woodland Forest, Planned Unit Development, as said areas are set forth and defined in restrictions of record in Book 7207, Page 851, Book 7439, Page 487, Book 7596, Page 684, and Book 7596, Page 692, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more particular description thereof.

Being the same property conveyed to The Bank of New York, acting solely in its capacity as Trustee for EQCC Trut 2001-2 by Trustee's Deed from Robert M. Wilson, Jr., Substitute Trustee filed on February 12, 2004 as Instrument No. 20040212-0016756 in the records of the Register's Office of Davidson County, Tennessee.

Commonly known as:112 Hunters Run, Nashville, TN 37209

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto Grantees and unto their heirs and assigns forever.

Grantor covenants that it is seized and possessed of the said land and has a right to convey it, and warrants the title against the lawful claims of all persons claiming by, through, and under it, but not further otherwise.

IN WITNESS WHEREOF, this indenture is executed in the name of the Grantor on the day and year first above written.

The Bank of New York acting solely in its capacity as Trustee for EQQC Trust 2001-2, by its duly authorized attorney in fact, Fairbanks Capital Corp.

BY: _____

JOYCE KINDSVOGEL
DOCUMENT CONTROL OFFICER

Acknowledgment

State of Utah

County of Salt Lake

On this day before me, a Notary Public, personally appeared JOYCE KINDSVOGEL, DOCUMENT CONTROL OFFICER **, to me personally well-known, who acknowledged that he/she is the , of The Bank of New York, acting solely in its capacity as Trustee for EQQC Trust 2001-2, by its duly authorized attorney in fact, Fairbanks Capital Corp., a corporation, and that he/she, as such officer, being authorized so to do, has executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.**

Witness my hand and seal this 8 **day of April, 2004.**

Emma Shaner

Notary Public

Notary Public
EMMA SHANER
3815 South West Temple
Salt Lake City, Utah 84115
My Commission Expires
April 22, 2007
State of Utah

My commission expires:

_____

(Seal)

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, $ 227,500.00 , which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Matthew P Spencer
Affiant

Subscribed and sworn to before me this 19th day of May , 2004.

Mary Jayne Masters
Notary Public

My commission expires:

_____
(Seal)

MARY JAYNE MASTERS
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires SEPT 23 2007

Property owner and party responsible for payment of taxes:
Eric S. Spencer And Matthew P. Spencer
112 HUNTERS RUN
NASHVILLE, TN 37209

Nashville, TN 37209

Parcel #114-14-0-A-091.00

Return to:

Associates Closing & Title – HURON
11501 Huron Lane
Little Rock, AR 72211