This Instrument Prepared By:
Jay R. McCurdy
MILLER & MARTIN PLLC
1000 Volunteer Building
832 Georgia Avenue
Chattanooga, Tennessee 37402-2289

PICK-UP

Davidson County DEEDTRS
Recvd: 05/27/04 10:47 4pgs
Fees:23.00 Taxes:423.45
20040527-0062448

Name and Address of New Owner:	Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:	Tax Map & Parcel No.:
Chris Thoeny and James Michael Maitland 6673 Riverview Nashville, TN 37209	Same	141-12-0-B-031.00 CO.

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 21st day of May, 2004 from Jay R. McCurdy as Grantor, in his capacity as Substitute Trustee, to Chris Thoeny and James Michael Maitland as Grantee.

W I T N E S S E T H:

WHEREAS, on January 26, 2000, Janet D. Hall, single woman, executed a Deed of Trust ("Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness ("Indebtedness") held by and owing to AmSouth Bank ("Bank"), said indebtedness being more particularly described in the Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee ("Register's Office") at Instrument 200002010010222, to which reference is hereby made;

WHEREAS, default was made in the payment of the Indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable;

WHEREAS, pursuant to the terms of the Deed of Trust, Jay R. McCurdy was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded at Instrument 20040402-0037065, in the Register's Office; and

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Bank, being the owner and holder of the Indebtedness secured thereby, and for the purposes of effecting payment and satisfaction of the Indebtedness, including principal, interest, late charges, attorney fees and costs of sale, I, Jay R. McCurdy, as Substitute Trustee, by and through my agent, did on May 21, 2004 commencing at

10:30 a.m., pursuant to advertisement of sale published in *The Nashville Record* in its editions of April 29, 2004, May 6, 2004, and May 13, 2004, offer for sale and sold at public auction to the highest and best bidder for cash at the at the corner of 5th and Broadway at the Gaylord Entertainment Center in front of the Register of Deeds Office in the city of Nashville, Davidson County, Tennessee, in bar of the equities of redemption, the statutory right of redemption, dower, homestead, elective share, and all other rights and exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee was the highest and best bidder at and for the sum of One Hundred Fourteen Thousand Four Hundred Forty-Five and 00/100 Dollars ($114,445.00).

NOW, THEREFORE, I, Jay R. McCurdy, Substitute Trustee, exercising the power and authority vested in me, and free from the equity of redemption, the statutory right of redemption, dower, homestead, elective share, and all other rights and exemptions of every kind, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the following described real estate located in the City of Nashville, County of Davidson, State of Tennessee:

> Land in Davidson County, Tennessee, being Lot No. 93 on the Plan of Southampton, Phase 2, of record in Book 5200, page 595, as amended in Book 6150, page 298, Register's Office for said County.
>
> Said Lot No. 93 fronts 97.0 feet on the easterly margin of Bay Cove Trail and extends back 145.0 feet on the northerly line and 160.8 feet on the southerly line to a dead line in the rear, measuring 81.38 feet thereon.
>
> BEING the same property conveyed to Janet D. Hall by deed from Jeffrey T. Reese and wife, Jonna B. Reese of record in Book 8361, Page 323, said Register's Office and further conveyed to Janet Diane Fitzgerald by Quitclaim Deed from Patrick Henry Fitzgerald of record in Book 11621, Page 206, said Register's Office. The said vested Janet Diane Fitzgerald is now known as Janet D. Hall.
>
> The property address is believed to be:
> 7121 Bay Cove Trail, Nashville, TN 37221

For source of Grantor's equitable interest in the property, reference is made to Instrument 200002010010222, in the Register's Office. The legal description is unchanged from the prior deed of record.

The Substitute Trustee does hereby quitclaim unto Grantee all of his right, title and interest in the said property and not further or otherwise and subject to (i) any governmental zoning or subdivision ordinances or regulations, (ii) any liens and encumbrances superior to the Deed of Trust, (iii) taxes and assessments owing on the property, (iv) all rights of redemption of

taxing authorities, and (v) all other matters which are prior in right to the lien of the Deed of Trust.

IN WITNESS WHEREOF, I, Jay R. McCurdy, Substitute Trustee, have executed this instrument to be effective the date first above written.

Jay R. McCurdy, Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Before me, personally appeared Jay R. McCurdy, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument as Substitute Trustee, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

WITNESS my hand and seal, at office, this 21st day of May, 2004.

Alice G. Hill
Notary Public

My Commission Expires: 10/16/07

[AFFIX SEAL]

ALICE G. HILL
NOTARY PUBLIC AT LARGE
HAMILTON CO., TN

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $114,445.00.

Jay R. McCurdy, Substitute Trustee

Sworn to and subscribed before me
this 21st day of May, 2004.

Notary Public

My Commission Expires: 10/6/07
[AFFIX SEAL]

ALICE G. HILL
NOTARY PUBLIC AT LARGE
HAMILTON CO., TN