This Instrument Prepared By:
Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, Tennessee 37238-1800

Davidson County DEEDTRS
Recvd: 05/28/04 15:05 4pgs
Fees:23.00 Taxes:777.00
20040528-0063245

Addresses New Owners:

CIT Small Business Lending Corp.
One CIT Drive
Livingston, NY 07039
ATTN: Ben Spoelstra

Send Tax Bills To:

Same

Map-Parcel Numbers

Map: 160-1
Par.: 17

TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated June 14, 2002, of record in Instrument No. 20020705-0080903, Register's Office for Davidson County, Tennessee, Paul T. Capps and wife, Nancy B. Capps conveyed the property hereinafter described to Deborah McCormick, Trustee, to secure the payment of the indebtedness therein mentioned and described;

WHEREAS, default was made in the payment of said indebtedness and in the performance of the other covenants and agreements contained in said Deed of Trust and Cumberland Bank South f/k/a The Community Bank, the lawful owner and holder of said indebtedness, having declared all of the unpaid balance due and payable called upon the undersigned Trustee to exercise the power of sale conferred by said Deed of Trust, and to sell the hereinafter described property;

WHEREAS, Deborah McCormick, Trustee, did give notice of the time and place of sale by publication in *The Nashville Record*, a newspaper published in Nashville, Davidson County, Tennessee, for three consecutive weeks, one insertion of said advertisement appearing in each of the issues of said newspaper on May 6, 13 and 20, 2004, respectively;

WHEREAS, pursuant to the terms of said notice and deed of trust, the undersigned, Deborah McCormick, Trustee, through her authorized agent, did offer said property for sale at public outcry, to the highest bidder for cash, and in bar of the equitable and statutory rights of redemption and homestead, on May 27, 2004, at 12:00 noon at the south door of the Ben West Building in Nashville, Davidson County, Tennessee; and

WHEREAS, at said sale, CIT Small Business Lending Corp. was represented and made a bid in the amount of Two Hundred and Ten Thousand and 00/100 Dollars ($210,000.00) which has proven to be the highest and best bid.

NOW, THEREFORE, in consideration of the premises:

I, Deborah McCormick, Trustee, have bargained and sold, and by these presents do transfer and convey unto CIT Small Business Lending Corp, its successors and assigns, the property in Davidson County, Tennessee, to-wit:

BEING Lot 124 on the plat of Oak Hill Estates, Section 2, of record in Plat Book 4460, Page 38, Register's Office for said county.

SAID Lot 124 fronts 300 feet on the South margin of Forest Hills Drive and extends back 260.0 feet on the West line and 254.39 feet on the East line to a line on the rear on which it measures 300.5 feet.

BEING the same property conveyed to Paul T. Capps, unmarried, by Warranty Deed from George E. Capps, Jr. and wife, Betty T. Capps, dated October 1, 1984, recorded October 1, 1984, of record in Book 6393, page 674, Register's Office for Davidson County, Tennessee.

Street Address: 853 Forest Hills Drive
Nashville, Tennessee 37220

This conveyance is made without any warranties and is subject to any unpaid taxes, prior deeds of trust or mortgages, restrictions, easements, and set back lines and all other matters of public record.

TO HAVE AND TO HOLD said tract of land, together with all the appurtenances, estate, title and interest thereto belonging to CIT Small Business Lending Corp, its successors and assigns, forever.

I, Deborah McCormick, Trustee, under the said Deed of Trust of record in Instrument No. 20020705-0080903, Register's Office for Davidson County, Tennessee, do hereby transfer, assign, and convey unto CIT Small Business Lending Corp, its successors and assigns, all of the right, title and interest in and to said property vested in me, and which I have right to transfer, in as full and ample a manner as I as Trustee under said Deed of Trust, can or should do, but no further or otherwise.

IN WITNESS WHEREOF, I have hereunto set my hand as Trustee this 28TH day of May, 2004.

Deborah McCormick, Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, DONNA AKINS BROWN, a Notary Public of said county, Deborah McCormick, Trustee, the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 28 day of MAY, 2004.

NOTARY PUBLIC

My Commission Expires:

10-21-2007

DONNA AKINS BROWN NOTARY PUBLIC AT LARGE WILLIAMSON COUNTY, TN

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer, is Two Hundred Ten Thousand and 00/100 Dollars ($210,000.00), but this Deed contains no warranties.

Deborah McCormick
DEBORAH MCCORMICK

Sworn and subscribed to before me
this 28 day of May, 2004.

Donna Akins Brown
NOTARY PUBLIC

My Commission Expires: 10-21-2007

