THIS INSTRUMENT PREPARED BY:

CURTIS M. LINCOLN
Attorney at Law
115 Hazel Path Drive
Suite #1, Westover Building
Hendersonville, TN 37075
(615) 822-0030

Map & Parcel:
071-04-0 192.00

Davidson County DEEDTRS
Recvd: 06/30/04 13:56 2pgs
Fees:13.00 Taxes:246.13
20040630-0077842

TRUSTEE'S DEED

WHEREAS, under a certain Deed of Trust dated August 19, 2002, executed by **LOLITA M. MAYBERRY, unmarried** and recorded as Instrument No. 20020912-0111235, Register's Office for Davidson, Tennessee, the herein described property was conveyed to CURTIS M. LINCOLN, Trustee, to secure the indebtedness described in said Deed of Trust, and the entire indebtedness having been declared due and payable as provided in said Deed of Trust by the lawful owner and holder of said indebtedness, *JAMES R. SHOEMAKER and wife, BETTY SHOEMAKER.*; and

WHEREAS, default having been made in the terms, conditions and payments made and provided for in said Deed of Trust of record in Instrument No. 20020912-0111235, Register's Office for Davidson County, Tennessee, and JAMES R. SHOEMAKER and wife, BETTY SHOEMAKER being the holder of said indebtedness and having declared the entire indebtedness and interest due and payable; and

WHEREAS, the lawful holder of said indebtedness having requested Curtis M. Lincoln, Trustee, to sell said property in satisfaction of said indebtedness, interest, costs and attorney's fees and all obligations as provided in said Deed of Trust; and

WHEREAS, Curtis M. Lincoln, Trustee, did give more that twenty-one (21) days notice of the time, place and terms of said sale by advertisement in three (3) weekly publications in the *Nashville Record*, a newspaper published in Davidson County, Tennessee, said advertisement appearing in the editions of said newspaper on February 12, February 19 and February 26, 2004, stating that on the 10th day of March, 2004, at 10:00 a.m. at the main door of the Davidson County Courthouse in Nashville, Tennessee, said property herein after described, would be sold to the best and highest bidder for cash at public outcry, free from the equity of redemption, statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in said Deed of Trust, and subject to any and all unpaid taxes under Tennessee law; and

WHEREAS, on the said date March 10, 2004, said Curtis M. Lincoln, Trustee, offered said property for sale at public outcry and sold said property to JAMES R. SHOEMAKER and wife, BETTY SHOEMAKER for **SIXTY SIX THOUSAND FIVE HUNDRED TWENTY TWO DOLLARS and 94/100 ($66,522.94)** which was the amount of the highest and last bid, to apply on said indebtedness, interest and all costs under said Deed of Trust, said bid being the highest and last bid.

NOW, THEREFORE, I, Curtis M. Lincoln, Trustee, in pursuance of the power and authority contained in said Deed of Trust, for and in consideration of the sum of the said highest, best and last bid, hereinabove set out, credited and applied as a payment on the indebtedness secured by the aforementioned Deed of Trust, do hereby bargain and sell and by these presents do hereby transfer and convey to said **JAMES R. SHOEMAKER and wife, BETTY SHOEMAKER**, its successors and assigns, as Grantee, the following described property, to wit:

LAND in Davidson County, TN, being Lot No. 174 on the Map of Section One, Joywood Heights Subdivision, Section One, of record in Book 1130, Page 91, said Register's Office and being described as follows:

SAID Lot No. 174 fronts 50 feet on the Westerly side of Jones Circle and runs back between lines 239.5 feet on the Northerly line and 196 feet on the Southerly line to a dead line in the rear on which it measures 120 feet thereon.

BEING the same property conveyed to LOLITA M. MAYBERRY, unmarried by Deed from JAMES R. SHOEMAKER and wife, BETTY SHOEMAKER and recorded as Instrument No. 20020912-0111234, Registers' Office for Davidson County, TN.

This property is known as 2106 Jones Circle, Nashville, TN 37202.

The said Curtis M. Lincoln, Trustee, does hereby sell this property as Trustee under said Deed of Trust and not otherwise.

The above-described property is sold subject to any and all unpaid taxes and encumbrances that appear of record, including building restrictions, if any.

WITNESS my hand and seal on this the 12 day of March, 2004.

Curtis M. Lincoln

CURTIS M. LINCOLN- Trustee

STATE OF TENNESSEE
COUNTY OF SUMNER

BEFORE me, undersigned, a Notary Public in and for the County and State aforesaid, personally appeared the within named, Curtis M. Lincoln, Trustee, the bargainor, with whom I am personally acquainted or proved to me on the basis of sufficient information, and who acknowledged the execution of the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Hendersonville, Tennessee, this the 12 day of March, 2004.

Mary V. Brooks

NOTARY PUBLIC

MARY V. BROOKS NOTARY PUBLIC AT LARGE SUMNER COUNTY, TN

My Commission Expires: 06/14/05

STATE OF TENNESSEE
COUNTY OF SUMNER

The actual consideration or value, whichever is greater for this transfer is $66,522.94.

AFFIANT

Sworn to and subscribed before me on this the _____ day of March, 2004.

NOTARY PUBLIC

My Commission Expires: _____

Send Tax Bills to: Mr./Ms. James R. Shoemaker
511 Spring Branch Drive
Madison, TN 37115

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 66522.94

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 30 DAY OF June 2004.

Deputy Register