Davidson County DEEDTRS
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20040702-0079220

This instrument prepared by:

Kleinsmith & Associates, P.C.
6035 Erin Park Drive
Colorado Springs, Co 80918

BOOK 11730, PAGE 518

Responsible Taxpayer and Property Owner:
Tax Parcel No. 060-070-020

Name: Department of Housing and Urban Development

Address: c/o Golden Feathers Realty
2500 Michelson Drive
Irvine, CA 92612

Common Description: 3013 Lyndale Drive
Nashville, TN 37207

Legal Description:Being Lot No. 26 on the Plan of Hillhurst Acres, Section VI, as of record in Book 2854, Page 62, Register's Office for Davidson County, Tennessee.
Said Lot No. 26 fronts 87 feet on the northerly side of Lyndale Drive, and runs back 204.5 feet on the easterly line and 226.6 feet on the westerly line to a dead line in the rear on which it measures 106.1 feet.

Being the same property conveyed to Danny K. Spillers and wife, Donna Kay Spillers by deed from James E. Whitaker and wife, Ruthie Sue Whitaker as of record in Book 7457, Page 562, Register's Office for Davidson County, Tennessee.

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is $77,887.11 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Philip M. Kleinsmith, Trustee

Sworn to and subscribed before me,
by Philip M. Kleinsmith, Trustee,
this 30th day of June, 2004

Notary Public
My Commission Expires: 10/21/07.

ANGENETTE LINAMAN
NOTARY PUBLIC
STATE OF COLORADO

SUCCESSOR TRUSTEE'S DEED

Whereas, by virtue of the power and authority vested under that Deed of Trust executed by **Danny K. Spillers and Donna Kay Spillers** dated **10/25/1999** and recorded **11/03/1999** in Book **11730**, Page **518**, Register's Office of Davidson County, Tennessee, given to secure payment of a certain indebtedness evidenced by a promissory note set forth therein, payable to the order of **Franklin American Mortgage Company** default having been made in the performance of the terms and provisions of the Deed of Trust, demand having been made upon the said Debtor for payment in accordance with the provisions of the Deed of Trust, default having been made in the payment upon demand, said indebtedness described by the said Deed of Trust having been declared to be due and payable in accordance with the terms thereof, said default continuing without reinstatement, at the request of Holder of the note for the purpose of effecting payment of all sums due under the terms of the note and Deed of Trust, principal interest and costs of sale, Philip M. Kleinsmith, Trustee, did on Thursday, **March 25, 2004** at 10:00 a.m. pursuant to the advertisement published in the **Nashville Record News** and sent by mail to the Debtor and lienors of record, offer for sale, at **Front Steps of Old Ben West Library Building, 225 Polk Avenue, Nashville**, TN, in bar of the equities of redemption, dower and homestead, the hereinafter described real estate, at which sale **Countrywide Home Loans, Inc.** became the highest and best bidder(s) at and for the sum of **$77,887.11** and

WHEREAS, the proceeds of the sale were sufficient to satisfy all sums of principal, interest, attorney fees, costs and other sums accruing under the terms of the aforesaid Deed of Trust.

WHEREAS, **Countrywide Home Loans, Inc.**, directed and instructed the undersigned to transfer, convey and assign the real estate described herein to the Department of Housing and Urban Development, and to deliver the deed of reconveyance to said Department;

NOW THEREFORE, Philip M. Kleinsmith, Trustee, exercising the power and authority vested in him, and in bar of the equities of redemption, dower and homestead, does hereby sell, transfer , and convey unto **Department of Housing and Urban Development,** Grantee, the following described real estate, to wit:

Being Lot No. 26 on the Plan of Hillhurst Acres, Section VI, as of record in Book 2854, Page 62, Register's Office for Davidson County, Tennessee.
Said Lot No. 26 fronts 87 feet on the northerly side of Lyndale Drive, and runs back 204.5 feet on the easterly line and 226.6 feet on the westerly line to a dead line in the rear on which it measures 106.1 feet.

Being the same property conveyed to Danny K. Spillers and wife, Donna Kay Spillers by deed from James E. Whitaker and wife, Ruthie Sue Whitaker as of record in Book 7457, Page 562, Register's Office for Davidson County, Tennessee.

To HAVE AND TO HOLD said described real estate unto the Grantee, his successors and assigns, forever in fee simple

Sale was advertised and made as Trustee only, without covenants or warranties of title, express or implied, subject to any governmental zoning or subdivision ordinances in effect thereon and this conveyance is so made. However, Grantor, as Trustee, but not otherwise, hereby assigns and sets over to Grantee all of the covenants and warranties contained in the Deed of Trust recorded in Book 11730, Page 518 referred to therein.

IN WITNESS WHEREOF, Philip M. Kleinsmith, Trustee, has caused these presents to be executed this 30th day of June, 2004.

PHILIP M. KLEINSMITH, Trustee

STATE OF COLORADO)
COUNTY OF EL PASO)

Before me, Angenette Linaman, a Notary Public , duly appointed, commissioned, and qualified in and for the State and County aforesaid, personally appeared Philip M. Kleinsmith, Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

This the 30th day of June, 2004.

ANGENETTE LINAMAN NOTARY PUBLIC STATE OF COLORADO

Notary Public

My Commission Expires: 10/21/07.