Davidson County DEEDTRS
Recvd: 09/08/04 13:03 3pgs
Fees:18.00 Taxes:336.33
20040908-0108499

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

Name and Address of New Owner:	**Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:**	**Tax Map & Parcel No.:**
AmSouth Bank RCN4 P.O. Box 10063 Birmingham, AL 35202-0063	Same	052-02-0-055.00

TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 3rd day of September, 2004 from Jay R. McCurdy as Grantor, in his capacity as Substitute Trustee, to AmSouth Bank as Grantee.

W I T N E S S E T H:

WHEREAS, on March 31, 2000, Angel D. Soto and wife, Brenda I. Gongon, JTWROS, 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 200004050034119, 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 20040719-0085581 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 September 3, 2004

commencing at 10:30 a.m., pursuant to advertisement of sale published in *The Nashville Record* in its editions of August 12, 2004, August 19, 2004, and August 26, 2004, offer for sale and sold at public auction to the highest and best bidder for cash 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 Ninety Thousand Nine Hundred and no/100 Dollars ($90,900.00).

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 Madison, County of Davidson, State of Tennessee:

> Land situated in Madison, Davidson County, Tennessee, being Lots 7 and 8 of Block "D" on the revised Map of Rainbow Terrace Subdivision, as of record in Book 1130, page 85, Register's Office for Davidson County, Tennessee.
>
> Said Lots join and front together 96.2 feet on the south side of McCarley Avenue and run back between lines 145 feet on the east side of Lot 8 and 190 feet on the west line of Lot 7 to a dead line in the rear on which the measure is 219.1 feet.
>
> The property address is believed to be:
> 600 McCarley Ave., Madison TN 37115

For source of Grantor's equitable interest in the property, reference is made to Instrument 200004050034119 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 3rd day of September, 2004.

Notary Public My Commission Expires February 10, 2007

My Commission Expires: _____

[AFFIX SEAL]

TANYA D. TRAVIS 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 $90,900.00.

Jay R. McCurdy, Substitute Trustee

Sworn to and subscribed before me
this 3rd day of September, 2004.

Notary Public My Commission Expires February 10, 2007

My Commission Expires: _____
[AFFIX SEAL]

TANYA D. TRAVIS NOTARY PUBLIC AT LARGE HAMILTON CO. TN