Davidson County DEEDTRS
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Fees:13.00 Taxes:851.00
20040908-0108571

PREPARED BY AND RETURN TO:
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Name: Roberts Stephen Smiley, and wife Alice F. Smiley
S&K#: 04-0848
Loan#: 2008550/472

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 10, 2001, recorded in Instrument Number 20010925-0103545, Register's Office of Davidson County, Tennessee, Robert Stephen Smiley and Alice Fay Smiley, husband and wife, conveyed to Priority Escrow Services, Inc., Trustee, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the holder of the debt secured appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20040421-0045290, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on May 26, 2004, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 a.m.; and,

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage, Inc., whose address is 3476 Stateview Blvd, MAC# X7801-013 (FC), Fort Mill, South Carolina 29715, at and for the sum of $230,000.00, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage, Inc. has assigned its interests in the said property to Federal Home Loan Mortgage Corporation, its successors and assigns; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage, Inc., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Denise Griffin, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Federal Home Loan Mortgage Corporation, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Hermitage, County of Davidson, State of Tennessee, to-wit:

Described property located in the 13th Councilmatic District of Davidson County, Tennessee, to wit:

Beginning at a new iron rod on the northwesterly margin of Tulip Grove Road, said point of being 140.00 feet in a northeasterly direction 21 degrees, 43 minutes, 38 seconds along the said margin of Tulip Grove Road from the southwest corner of the Ray Brunner and wife property as recorded in Deed Book 9586, Page 348, and being the southwest corner of the property herein described; thence north 58 degrees 19 minutes 51 seconds west a distance of 878.0 feet to a new iron rod; thence south 71 degrees 35 minutes 23 seconds west a distance of 179.71 feet to a point in the easterly boundary of the Joseph Dykes property recorded in Deed Book 8285, Page 747; thence along the easterly boundary of the Joseph Dykes property north 25 degrees, 21 minutes 56 seconds east a distance of 267.90 feet to an existing iron rod in a fence line being the southwesterly boundary of the

Danny Sheehan property recorded in Deed Book 5978, Page 765; thence along the Sheehan property as follows: south 55 degrees 18 minutes 50 seconds east a distance of 344.47 feet; thence north 31 degrees 53 minutes 54 seconds east a distance of 34.95 feet to an existing iron rod; thence south 54 degrees 44 minutes 56 seconds east 200.00 feet to a point; thence north 31 degrees 53 minutes 54 seconds east 220.0 feet to an existing iron rod in the southerly margin of Tulip Grove Road as follows: south 54 degrees 44 minutes 56 seconds east a distance of 218.99 feet to a point in a curve; thence along the curve to the right having a radius of 258.35 feet, a distance of 339.66 feet; thence south 21 degrees 43 minutes 38 seconds west a distance of 133.40 feet to the point of beginning.

This legal description is identical with that in Trust Deed recorded in Instrument Number 20010925-0103545, Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument Number 20010925-0103545, Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed recorded in Book 10389, Page 629, Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Federal Home Loan Mortgage Corporation, its successors and assigns, in fee simple forever, to whom the said Denise Griffin, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Denise Griffin, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Denise Griffin
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 26th day of May, 2004, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Denise Griffin, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at Office the day and year above written.

12/20/05
My commission expires:

Amanda D. Collins
Notary Public

AMANDA D. COLLINS NOTARY PUBLIC AT LARGE SHELBY CO., TN
My Comm. Exp. 12-20-05

NO TAX/EXEMPT AGENCY

PROPERTY ADDRESS: 880 Tulip Grove Road, Hermitage, TN 37076

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Federal Home Loan Mortgage Corporation
2839 Paces Ferry Road NW
Suite 700
Atlanta, Georgia 30339

S & K #:04-0848
Map & Parcel – 75-17.00

I, or we, hereby swear or affirm to the best of affiant's knowledge, the actual consideration for this transfer is $230,000.00 which is equal to or greater than the amount which would command at a fair and voluntary

Kathy Lewis
Affiant

Sworn to before me on the date written above.

6/20/05
Notary Public

JEN SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN