Davidson County DEEDTRS
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Fees:18.00 Taxes:426.09
20041008-0122101

THIS INSTRUMENT PREPARED BY:
William T. Hill, Attorney at Law
AmSouth Center
315 Deaderick Street, Suite 1230
Nashville, Tennessee 37238-1230

SUBSTITUTE TRUSTEE'S DEED

Address New Owner and Send Tax Bills To:

Bank One
111 East Wisconsin Avenue
Mail Station WI1-4030
Milwaukee, WI 53202

Map-Parcel Numbers:

147-11-0 009.00

WHEREAS, Default having been made in the terms and conditions of payments, pursuant to a certain Deed of Trust executed by Constance D. Sherman and husband, Rodney L. Sherman and Cheryl Darlene Whitson, unmarried, to Michael I. Mossman, Trustee, dated the 5th day of March, 2001 and being of record in Instrument No. 20010314-0024395, Register's Office for Davidson County, Tennessee, referred to herein as the deed of trust, which conveyed certain real property, appurtenances, estate, title and interest therein in trust to secure the indebtedness described therein, which indebtedness is now due and unpaid and has been declared in default by the lawful owner thereof, Bank One.

WHEREAS, Appointment of Substitute Trustee having been duly executed by the holder of the note and beneficiary of said Deed of Trust, Appointment of Substitute Trustee being of record in Instrument No. 20040819-0100206, in the Register of Deed's Office, Davidson County, Nashville, Tennessee, and appointing William Timothy Hill as Substitute Trustee.

WHEREAS, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder of said debt has called upon the Substitute Trustee to foreclose the Deed of Trust; and

WHEREAS, the Substitute Trustee, after due advertisement as required by law and as required by the terms of the Deed of Trust, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve o'clock noon (12:00 noon), October 4, 2004, at the Register of Deeds Office, Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee, when and where Bank One ("Grantee"), became the last and highest bidder at the price of One Hundred Fifteen Thousand One Hundred Sixty Dollars and 73/100 ($115,160.73).

NOW, THEREFORE, in his capacity as Substitute Trustee, and not otherwise, and in consideration of the premises and payment of the sum stated above, the receipt and sufficiency of

which are acknowledged, William Timothy Hill, Substitute Trustee, hereby conveys the Property described hereto in Exhibit "A", to the Grantee and the Grantee's heirs or successors and assigns.

TO HAVE AND TO HOLD the Property in as full and complete manner as the undersigned, in his capacity as Substitute Trustee, and not otherwise, has the power to convey.

William Timothy Hill, as Substitute Trustee, and not otherwise, warrants the title to the Property to the Grantee and Grantee's heirs or successors and assigns, against the lawful claims of all persons claiming by, through or under him. The quantity or quality thereof, and expressly subject to the following:

1. Any and all unpaid taxes and assessments, plus interest and penalty, if any.

2. Any and all other prior restrictions, encumbrances, or liens of any nature.

Words used herein indicating number or gender shall be read as context may require.

Dated this 4th day of October, 2004.

William Timothy Hill, as
Substitute Trustee and not otherwise

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for said County and State, the within named William Timothy Hill, Substitute Trustee, 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 contained therein.

Witness my hand and official seal at Nashville, Tennessee, this 4th day of October, 2004.

Notary Public

My commission expires:

ALLISON P. STEELY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires SEPT. 20, 2008

The actual consideration for this transfer or value of the property tra[illegible]d, whichever is greater, is $115,160.73.

Affiant

Subscribed and sworn to before me this 4th day of October, 2004.

Notary Public

My commission expires:

ALLISON P. STEELY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires SEPT. 20, 2008

EXHIBIT "A"

Being Lot No. 497 on the Plan of Whispering Hills, Section II-C of record in Book 2663, Page 67, Register's Office for Davidson County, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to Constance D. Sherman and husband, Rodney L. Sherman by Deed from William E. Miles and wife, Joni Miles dated 9/17/99, recorded 9/23/99 in Book 11672, Page 138, Register's Office for Davidson County, Tennessee. And further being conveyed to Constance D. Sherman, and husband, Rodney L. Sherman and Cheryl Darlene Whitson by Quitclaim Deed dated 3/5/01 being recorded simultaneously herewith.

This is improved property known as 597 Whispering Hills Dr., Nashville, TN 37211.

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