THIS INSTRUMENT PREPARED BY:

F. B. Murphy, Attorney
2021 Richard Jones Road, Suite 350
Nashville, Tennessee 37215

| ADDRESS NEW OWNER: | SEND TAX BILLS TO: | MAP & PARCEL NO. |
|---|---|---|
| A. C. Spain<br>1108 Battlewood Street<br>Franklin, TN 37069 | New Owner | 107140A03300CO |

Davidson County DEEDTRS
Recvd: 10/25/04 10:43 3pgs
Fees:18.00 Taxes:111.00
20041025-0127764

# TRUSTEE'S DEED

WHEREAS, Dynatech Specialty Services, Inc., Nancy E. Collier and Ted M. Collier, by Deed of Trust (the "Deed of Trust") dated May 20, 2004, of record in Instrument No. 20040524-0060392, Register's Office for Davidson County, Tennessee, conveyed to F. B. Murphy, Jr., Trustee, the hereinafter described real property to secure the payment of a certain indebtedness described in said Deed of Trust, which indebtedness is evidenced by an Promissory Note (the "Note"); and

WHEREAS, demand has been made for the payment of the aforesaid indebtedness secured by the Deed of Trust, which indebtedness remains in default; and

WHEREAS, the owner and holder of said Note demanded that the hereinafter described real property be advertised and sold in satisfaction of said indebtedness and the costs of foreclosure, in accordance with the terms and provisions of the Note and Deed of Trust; and

WHEREAS, pursuant to the instructions of the owner and holder of said Note, the Trustee advertised said property for sale in accordance with the terms and provisions of the Deed of Trust, notices of the time and place of said sale having been published in *The Nashville Record* in Nashville, Tennessee on September 30, October 7 and October 14, 2004; and

WHEREAS, the Trustee, as required by the terms of the Deed of Trust, offered said property for sale to the highest bidder for cash, at public outcry, on THURSDAY, OCTOBER 21, 2004, at 1:30 o'clock p.m., outside the northwest entrance of the Gaylord Entertainment Center located at 501 Broadway, Nashville, Tennessee 37203, and A. C. Spain (hereinafter called "Grantee") being the highest and best bidder therefor, became the purchaser of the property for the sum of Thirty Thousand and 00/100 Dollars ($30,000.00).

NOW, THEREFORE, F. B. Murphy, Jr., in his capacity as Trustee, and not otherwise, for and in the consideration of the premises and the payment of the sum stated above, the receipt of which is hereby acknowledged, hereby transfers and conveys to the Grantee, his heirs and assigns, certain real property located in Davidson County, Tennessee, described as follows:

A part of the Plan of Copperfield Terrace Condominiums, as of record in Book 6250, page 50, register's Office for Davidson County, Tennessee, the part

hereby described as being Unit Number 33 on the plan as shown in and described by the Master Deed establishing a horizontal property regime with respect to Copperfield Terrace Condominiums of record in Book 6326, page 790, for said Register's Office, to which plan reference is hereby made for a more particular description of said property.

Being the same property conveyed to Dynatech Specialty Services, Inc., a Tennessee corporation, by deed from Sterling Bank and Trust, FSB, of record in Instrument No. 20040126-0009763, said Register's Office.

This is improved property known as 1270 Massman Drive, Nashville, Tennessee 37217.

This conveyance is subject to all unpaid ad valorem taxes (plus penalties and interest, if any) that may be a lien against the property, and subject to any and all liens, defects, encumbrances, adverse claims and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had, including, but not limited to, prior deeds of trust, fixture filings, easements, restrictions, building lines and recorded plans, and subject to any statutory rights of redemption not otherwise waived in the Deed of Trust, and rights of redemption of any agency, state or federal, which have not been waived by such governmental agency. This conveyance is also subject to any and all matters which an accurate survey of the property might disclose.

The property is conveyed AS IS, WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied; without limiting the foregoing, the property is conveyed without any implied warranties of merchantability or fitness for a particular use or purpose.

TO HAVE AND TO HOLD the aforesaid property in as full and complete manner as the undersigned, in his capacity as Trustee, and not otherwise, has the power to convey the same, F. B. Murphy, Jr., as Trustee, and not otherwise, warrants the title to said property to the Grantee, his heirs and assigns, against the lawful claims of all persons claiming by, through or under him, but not otherwise.

IN WITNESS WHEREOF, the undersigned has executed this Trustee's Deed on this 21st day of October, 2004.

F. B. MURPHY, JR., Trustee

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $ 30,000.00 .

F. B. Murphy Jr.
AFFIANT

Sworn to and subscribed before me this 21st day of October, 2004.

ROBERT A. ANDERSON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires July 10, 2005

NOTARY PUBLIC

My Commission Expires: July 10, 2005

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, F. B. Murphy, Jr., the within named bargainer, 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 therein contained, this 21st day of October, 2004.

ROBERT A. ANDERSON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires July 10, 2005

NOTARY PUBLIC

My Commission Expires: July 10, 2005