Davidson County DEEDTRS
Recvd: 11/15/04 13:58 3pgs
Fees:18.00 Taxes:275.00
20041115-0136886

This instrument prepared by:

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

INST. NO. 20020226-0024134

Responsible Taxpayer and Property Owner:
Tax Parcel No. 075-08-0-A077.00

Name: WM Specialty Mortgage, LLC

Address: c/o 7105 Corporate Drive
Plano, TX 75024

Common Description: 180 Brooke Castle
Hermitage, TN 37076

Legal Description: BEING UNIT NO. 180 ON THE PLAN OF BROOKE CASTLE CONDOMINIUMS, OF RECORD IN PLAT BOOK 6250, PAGE 627, AND AMENDED IN PLAT BOOK 6727, PAGE 762, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is $74,324.44 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 2nd day of November, 2004

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

NOTARY PUBLIC

SUCCESSOR TRUSTEE'S DEED

Whereas, by virtue of the power and authority vested under that Deed of Trust executed by **Lisa Y. Smallwood** dated **02/15/2002** and recorded **02/26/2002** at Instrument No. **20020226-0024134**, 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 **Fremont Investment and Loan** 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, **October 28, 2004** at 10:00 a.m. pursuant to the advertisement published in the **Nashville Record** 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 **WM Specialty Mortgage, LLC** became the highest and best bidder(s) at and for the sum of **$74,324.44** 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.

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 **WM Specialty Mortgage, LLC,** Grantee, the following described real estate, to wit:

BEING UNIT NO. 180 ON THE PLAN OF BROOKE CASTLE CONDOMINIUMS, OF RECORD IN PLAT BOOK 6250, PAGE 627, AND AMENDED IN PLAT BOOK 6727, PAGE 762, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

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 at Instrument No. **20020226-0024143**, referred to therein.

IN WITNESS WHEREOF, Philip M. Kleinsmith, Trustee, has caused these presents to be executed this 2nd day of November, 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 2nd day of November, 2004.

NOTARY PUBLIC

Notary Public

My Commission Expires: 10/21/07.