22

04-0773-AS
This instrument prepared by:
I. DYKE TATUM
ATTORNEY AT LAW
SUITE 200, ARENA PLACE
2001 CHARLOTTE AVENUE
NASHVILLE, TN 37203
MAP/PARCEL 172 12 20
1021 HICKORY HOLLOW ROAD
NASHVILLE, TN 37221

NO MORTGAGE
New Owner - Send Tax Bills:
AMSOUTH BANK
P.O. BOX 10063
BIRMINGHAM, AL 35202

Davidson County DEEDTRS
Recvd: 12/09/04 14:42 2pgs
Fees:13.00 Taxes:489.51
20041209-0146961

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on May 7, 2003, FMLS, INC., was named Trustee in a Deed of Trust of even date executed by PAUL BATTLE AND NANCY WENBERG, BOTH UNMARRIED conveying to him as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of $180,696.08, principal and interest at 5.99% per annum on the unpaid balance, said Deed of Trust being recorded in Instrument Number 20030528-0072194 and Rerecorded on October 5, 2004 Instrument 20041005-0119675 in the Register's Office for DAVIDSON County, Tennessee; and

WHEREAS, I. DYKE TATUM, was appointed Substitute Trustee under said Deed of Trust by instrument of record in INSTRUMENT 20041112-0136394 in the Register's Office for DAVIDSON County, Tennessee; I, I. DYKE TATUM, Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust, advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3)successive publications, namely: November 11, 2004 / November 18, 2004 / November 25, 2004, in THE NASHVILLE RECORD, a newspaper published in DAVIDSON County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on December 7, 2004, at 11:00 AM, at OUTSIDE THE DOOR OF THE REGISTER OF DEEDS OFFICE LOCATED AT 501 BROADWAY, SUITE 501, AT THE NORTHWEST ENTRANCE TO GAYLORD ENTERTAINMENT CENTER, NASHVILLE, TENNESSEE , I, as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time AMSOUTH BANK, P.O. BOX 10063, BIRMINGHAM, AL 35202, submitted the highest and best bid in the amount of $132,300.00

NOW THEREFORE, in consideration of the premises, I, I. DYKE TATUM, Substitute Trustee, do hereby sell, transfer and convey to AMSOUTH BANK its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

PROPERTY LOCATED IN DAVIDSON COUNTY, STATE OF TENNESSEE:

SITUATED IN DAVIDSON COUNTY, TN.

ALL THAT PIECE, PARCEL OR LOT OF LAND ~~SITUATE, LYING~~ AND BEING IN DAVIDSON COUNTY, TN AND KNOWN AND DESIGNATED AS LOT NO. 21, ON THE PLAN OF BELLEVUE MANOR, RECORDED IN BOOK 3600, PAGE 32 AND 33, OF THE DAVIDSON COUNTY REGISTER OF DEEDS OFFICE, REFERENCE TO WHICH IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

BEING THE SAME PROPERTY CONVEYED TO PAUL BATTLE AND NANCY WENBER, BOTH UNMARRIED, BY DEED FROM BETTY H. ZEIGLER, UNMARRIED, OF RECORD IN BOOK 10965, PAGE 851, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

I, I. DYKE TATUM, Substitute Trustee, convey to AMSOUTH BANK all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at NASHVILLE, Tennessee, on December 7, 2004.

I. DYKE TATUM
Substitute Trustee

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named , I. DYKE TATUM, 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 therein contained.

Witness my hand and official seal at office at NASHVILLE, Tennessee, on December 7, 2004.

Notary Public

My Commission Expires: 11/25/06

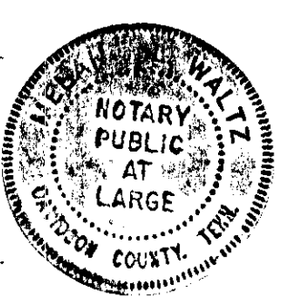
STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $132,300.00

Affiant

Subscribed and sworn to before me, this day of December 7, 2004.



Notary Public

My Commission Expires: 11/25/06

RETURN TO:
I. DYKE TATUM
ATTORNEY AT LAW
SUITE 200, CHARLOTTE AVENUE
NASHVILLE, TN 37203