FILE NO.: 382.0412269TN\JAM
LOAN NO.: 0431898378\CONV

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Priority Trustee Services of TN, L.L.C.
1587 N.E. Expressway
Atlanta, GA 30329

Davidson County DEEDTRS
Recvd: 12/29/04 09:56 2pgs
Fees:13.00 Taxes:330.23

20041229-0153619

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated February 22, 2000 and recorded in the Register's Office of Davidson County, TN, at Instrument 20000228-0019355, ("Deed of Trust")Garry L. Summers conveyed to John B. Philip, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Bank One, National Association, As Trustee; and

WHEREAS, **Bank One, National Association, As Trustee,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument** 20041229. 0153618 in the Register's Office of Davidson County, TN; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of TN and the terms and provisions of said Deed of Trust on 08/12/04, 08/19/04 and 08/26/04, in THE NASHVILLE RECORD, by which advertisement the sale was held on September 02, 2004, at the At the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Higgins, Himmelberg & Piliponis, P.L.L.C., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Bank One, National Association, As Trustee**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $89,250.00; and

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by Bank One, National Association, As Trustee as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Bank One, National Association, As Trustee**, its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows, to-wit: Land in Davidson County, Tennessee, being Lot No. 38 on the Plan of Reelfoot Subdivision, Section 3 of record in Book 6250, pages 167 and 168, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate legal description. Being the same property conveyed to Garry L. Summers by deed from Peggy Lassiter of record in Book 8831, page 908, Register's Office for Davidson County, Tennessee. The address of the above described property is: 821 Sandburg Place, Nashville, TN 37214.

The last recorded Warranty Deed was filed of record at Instrument 8831, Page 908 in the Register's Office of Davidson County, TN.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said **Bank One, National Association, As Trustee**, its successors and assigns forever, to whom the said,

Priority Trustee Services of TN, L.L.C, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, **Priority Trustee Services of TN, L.L.C**, Substitute Trustee, has hereunto set his hand, this 02nd day of September, 2004.

Priority Trustee Services of TN, L.L.C
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 02nd day of September, 2004, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Priority Trustee Services of TN, L.L.C**, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

ROBIN M. WALKER NOTARY PUBLIC DEKALB COUNTY GEORGIA EXPIRES APRIL 12, 2008

Notary Public

My Commission Expires:_____

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STATE OF GEORGIA

COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $89,250.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 02ND DAY OF SEPTEMBER 2004.

ROBIN M. WALKER NOTARY PUBLIC DEKALB COUNTY GEORGIA EXPIRES APRIL 12, 2008

Notary Public

My Commission Expires:_____

MSP No.: 382.0412269TN (Summers)
Lender Loan No.: 0431898378
Property Address: 821 Sandburg Place, Nashville, TN 37214
Tax Parcel ID No.: 108-08; 264.00

Mail Tax Notices To and Property Owner:

Homecomings/Fidelity National Foreclosure & Bankruptcy
Suite 200, 1270 Northland Drive
Mendota Height, MN 55120