348
W.P

Davidson County DEEDTRS
Recvd: 01/28/05 15:48 3 pgs
Fees:17.00 Taxes:0.00
20050128-0010693

This instrument prepared by:
WILLIAMS & PROCHASKA, P.C.(RJS)
401 Church Street, Suite 2600
Nashville, TN 37219

Address New Owner:	**Send Tax Bills To:**	**Map-Parcel Numbers:**
Federal National Mortgage Association c/o NetBank 9710 Two Notch Road Columbia, SC 29223	SAME	81-10-340.00

SUCCESSOR TRUSTEE'S DEED

This instrument is made and entered into as of January 28, 2005, by and between Randall J. Spivey, Successor Trustee (hereinafter referred to as "Successor Trustee"), and Federal National Mortgage Association.

WHEREAS by Deed of Trust dated July 29, 2002, of record at Instrument No. 20020805-0093828, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), Debtor conveyed to James W. Porter, Jr., as Trustee, the hereinafter described real estate, to secure payment to Sunset Mortgage Company, L.P. of a promissory note dated July 29, 2002 (the "Note"); and

WHEREAS, the lawful holder of the Note, NetBank, successor-in-interest to RBMG, Inc., appointed Randall J. Spivey to serve as Successor Trustee in accordance with the terms of said Deed of Trust by an instrument of record at Instrument No. 20041215-0149428, Register's Office for Davidson County, Tennessee; and

WHEREAS, the indebtedness secured by said Deed of Trust became overdue and unpaid, and other conditions of default occurred, by reason of which the lawful owner and holder of the indebtedness secured by said Deed of Trust declared the Deed of Trust and Note to be in default and notice of such default was properly given; and

WHEREAS, the lawful holder of the Note secured by the Deed of Trust directed the

Successor Trustee to sell the property held as security under the Deed of Trust as provided therein, and the Successor Trustee caused notice to be published in the *Nashville Record* that the property would be sold at 11:00 a.m. on Friday, January 28, 2005, at the main door of the Courthouse in Nashville, Davidson County, Tennessee, such advertisement appearing in said paper on January 6, 13 and 20, 2005, and sent a copy of such notice to Debtor and following such notice the default was not cured; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices caused the property and all improvements, fixtures, and structures thereon to be offered for sale, and after opening the floor for competitive bids, sold said Property to Federal National Mortgage Association at the price of $70,151.44 this being the highest, last and best bid;

NOW, THEREFORE, I, Randall J. Spivey, Successor Trustee as aforesaid, in consideration of the premises and the sum of $70,151.44, credited by Federal National Mortgage Association against the Note, by these presents do transfer to Federal National Mortgage Association, its successors and assigns, all of my right, title and interest, as Successor Trustee, in and to the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, To Wit:

> Land in Davidson County and being the North 7.5 feet of Lot No. 9 and the South 42.5 feet of Lot No. 10 on the Map of Georgia Industrial Realty Company's North Nashville Property, as of record in Book 421, page 188, Register's Office of Davidson County, Tennessee.
>
> Included but excluded all that property conveyed to Metropolitan Government of Nashville and Davidson County, Tennessee as by deed of record in Book 5782, page 893, Register's Office of Davidson County, Tennessee.
>
> Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument.
>
> Property Address: 1605 23rd Avenue North
> Nashville, TN 37208

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereof, in bar of the equity of redemption, statutory right of redemption, homestead, and exemption rights, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale is subject to such liens, defects, encumbrances, adverse claims or other matters which take priority over the Deed of Trust under which said foreclosure was held or which affect the land herein conveyed.

WITNESS the signature of the Successor Trustee on this the day and date first above written.

RANDALL J. SPIVEY
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Anna K. Maggard, a Notary Public of said County and State, RANDALL J. SPIVEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Successor Trustee, and that he as such Successor Trustee being authorized to do so executed the within instrument for the purposes contained therein by signing his name as Successor Trustee.

Witness my hand at office, this 28th day of January, 2005.

Anna K. Maggard, Notary Public

ANNA K. MAGGARD NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 24, 2008

NO RECORDING TAX DUE
TAX EXEMPT AGENCY