FILE NO.: 354.977521TN\mac
LOAN NO.: 7781453\FHA

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Joel A. Freedman, Attorney
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Suite 8B
Atlanta, GA 30341

Instr:20000313002531O Page: 1 OF 7
REC'D FOR REC 03/13/2000 9:10:55AM
RECORD FEE: $30.00
M. TAX: $0.00 T. TAX: $0.00

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 28, 1989, and recorded in the Register's Office of Davidson County, Tennessee, at Book 7927, Page 386, ("Deed of Trust"), Derek W. Hunter conveyed to Vickie L. Smith or Richard Smith or Bruce Kleinschmidt, 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 Aurora Loan Services; and

WHEREAS, **Aurora Loan Services,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Book 10943, Page 463**, in the Register's Office of Davidson County, Tennessee; 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 Tennessee and the terms and provisions of said Deed of Trust on 1/6/00, 1/13/00, 1/20/00, in THE NASHVILLE RECORD, by which advertisement the sale was held on February 10, 2000, at the Main South entrance in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, State Tax Lien(s) have been filed by the Tennessee Department of Revenue against the subject property in the Register's Office of Davidson County, Tennessee, at Book 11727, Page 818. Notice of the sale was given to the State of Tennessee pursuant to T.C.A. 67-1-1433(b)(1) and a copy is attached hereto as Exhibit "A". The response of the State of Tennessee is attached hereto as Exhibit "B". The property is subject to the right of the State of Tennessee to redeem pursuant to T.C.A. 67-1-1433(c)(1).

WHEREAS, at the time and place mentioned in said advertisement, Rick Piliponis, Esq., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Aurora Loan Services**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 63,927.37; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to the Secretary of Housing and Urban Development, Washington, D.C., his/her successors and assigns; 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 Aurora Loan Services as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Clifton E. Darnell**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto the said **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Being Unit No. 111 on the Plan of Hermitage Meadows Subdivision, Stage Two, of record in Book 5200, page 682, Register's Office for County, to which said plan reference is hereby made for a complete legal description thereof.

The last recorded Warranty Deed was filed of record at Book 9290, Page 661, in the Register's Office of Davidson County, Tennessee.

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 **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns forever, to whom the said, **Clifton E. Darnell**, 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, **Clifton E. Darnell**, Substitute Trustee, has hereunto set his hand, this 10th day of February, 2000.

Clifton E. Darnell, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 10th day of February, 2000, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Clifton E. Darnell**, 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.

Notary Public

TRACY T. SHARP NOTARY PUBLIC AT LARGE SHELBY CO., TN

My Commission Expires:_____

NO TAX - GOVERNMENTAL AGENCY

****

MSP No.: 354.977521TN (Benedict)
Lender Loan No.: 7781453
Property Address: 111 Thistle Lane, Hermitage, TN 37076
Tax Parcel ID No.: 086-14-0-A;111.00

Mail Tax Notices To and Property Owner:
Secretary of Housing and Urban Development
Property Disposition Branch
Cumberland Bend Office Center
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803

MORRIS, SCHNEIDER & PRIOR, L.L.C.

ATTORNEYS AND COUNSELORS AT LAW
3300 N.E. EXPRESSWAY
ATLANTA, GA 30341
(770) 234-9181
FAX (770) 234-9192

December 30, 1999

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Copy Via Regular Mail

State of Tennessee
Department of Employment Security
Nashville, TN 37245-3534

OR

Mr. Buddy Hooks
Department of Revenue
Tax Enforcement Division
P.O. Box 190665
Nashville, TN 37219-0865

Re: Notice of Federal Tax Lien/Consent to Sell
MSP File Number: 354.977521TN
Lender Loan No.: 7781453
Name Per Client: Charles A. Benedict
Property Address: 111 Thistle Lane
Hermitage, TN 37076

Dear Sir or Madam:

I am writing to advise you in accordance with T.C.A. 67-1-1433 that Aurora Loan Services, Inc. has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on February 10, 2000. Enclosed is a copy of the Substitute Trustee's Notice, which is being published in the Davidson County legal newspaper. The recording information for the Deed of Trust, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that one state tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific state tax lien(s) found; said lien(s) were recorded in Book 11727, Page 818.

We are not certain that the parties named in the state tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security numbers of the individual(s) against whom the above-referenced lien(s) are filed are as follows: Charles A. Benedict, each individually and as partners d/b/a Precision Fabricators Inc. [redacted]-6365).

EXHIBIT "A"

The unpaid principal balance of the loan against the above-referenced property is approximately $ 48,202.02. Interest through the sale date is approximately $11,346.24. Costs and attorneys' fees associated with the sale should be approximately $1,500.00.

Please return an acknowledged receipt of this notice on the enclosed duplicate letter and return in the enclosed self-addressed stamped envelope. If you should have any questions about this matter, please do not hesitate to contact this office.

Sincerely,
MORRIS, SCHNEIDER & PRIOR, L.L.C.

Mary A. Coleman

Enclosures
cc: Aurora Loan Services, Inc.

Z 356 166 496

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to Mr. Buddy Hooks	
Street & Number P.O. Box 190665	
Post Office, State, & ZIP Code Nashville, TN 37219-0865	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form **3800**, April 1995

SUBSTITUTE TRUSTEE'S SALE

WHEREAS, default having been made in the payment of the debts and obligations secured to be paid by that certain Deed of Trust executed on August 28, 1989, by Derek W. Hunter to Vickie L. Smith or Richard Smith or Bruce Kleinschmidt, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Book 7927, Page 386, ("Deed of Trust"); and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Aurora Loan Services; and

WHEREAS, Aurora Loan Services, the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Clifton E. Darnell, as Substitute Trustee by instrument filed for record in the Register's Office of Davidson County, Tennessee, with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and that the undersigned, Clifton E. Darnell, Substitute Trustee, or his duly appointed attorneys or agents, by virtue of the power and authority vested in him, will on **Thursday, February 10, 2000**, commencing at **12:00 PM** at the Main South entrance of the Davidson County Courthouse, Nashville, Tennessee, proceed to sell at public outcry to the highest and best bidder for cash, the following described property situated in Davidson County, Tennessee, to wit:

Being Unit No. 111 on the Plan of Hermitage Meadows Subdivision, Stage Two, of record in Book 5200, page 682, Register's Office for County, to which said plan reference is hereby made for a complete legal description thereof.

PROPERTY ADDRESS: 111 Thistle Lane, Hermitage, TN 37076

CURRENT OWNER(S): Charles A. Benedict, Jr.

The sale of the above-described property shall be subject to all matters shown on any recorded plan; any unpaid taxes; any restrictive covenants, easements or set-back lines that may be applicable; any prior liens or encumbrances as well as any priority created by a fixture filing; and any matter that an accurate survey of the premises might disclose.

Error! Not a valid filename.SUBORDINATE LIENHOLDERS: Odell Brinkley, Jr./Dan Mar Installations, Inc./Hermitage Meadows Homeowners Association, Inc./Ed's Supply Company, Inc./American Factors of Nashville/Maxon Corporation, Anesthsiology Consultants

OTHER INTERESTED PARTIES: N/A

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above.

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Clifton E. Darnell, Substitute Trustee
c/o Mary A. Coleman
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway
Atlanta, GA 30341
(770) 234-9181 (ext. 136)
MSP File No.: 354.977521TN
Insertion Dates: 1/6/00, 1/13/00, 1/20/00

State of Tennessee
Department of Employment Security
Nashville, Tennessee 37245-3545
615 / 741 / 5103

NOTICE OF TAX LIEN

Employer:
CHARLES A BENEDICT, EACH INDIVIDUALLY
AND AS PARTNERS D/B/A PRECISION FABRICATORS INC RV
111 THISTLE LN
HERMITAGE TN 37076

352-166 Account Number:
9-4729 PAGE Lien Number: 1
DAVIDSON COUNTY

0930 11/02 0101 03CHECK 10.00

Pursuant to the provisions of T.C.A. §50-7-404 et. seq., a lien exits in favor of the State of Tennessee Department of Employment Security upon all property and all rights, title and interest in property acquired either prior to or subsequent to the filing of this notice, belonging to the hereinafter named employer. Notice is hereby given that there have been assessed premiums, penalty, and interest against the said employer, which after demand for payment thereof remain unpaid. The amount of said premiums, penalty, interest, and costs either previously accrued or to accrue in the future without payment, constitutes the amount of said lien.

Periods for which premiums (taxes), interest, penalties, and fees have been assessed, and the amounts thereof, are as follows:

Q/YR	TAX DUE	INTEREST THROUGH		PENALTY DUE	FILING FEE
3/1994	$363.86	10/31/1999	$379.64	$14.00	$10.00
4/1994	$830.09	10/31/1999	$709.73		
1/1995	$1,449.04	10/31/1999	$1,173.72	$10.00	
2/1995	$222.94	10/31/1999	$170.55	$10.00	
2/1996	$131.27	10/31/1999	$76.79	$50.00	
3/1996	$131.27	10/31/1999	$70.89	$50.00	
4/1996	$131.27	10/31/1999	$64.98	$50.00	
1/1997	$169.87	10/31/1999	$76.44	$50.00	
2/1997	$169.87	10/31/1999	$68.80	$50.00	
3/1997	$220.83	10/31/1999	$79.50	$50.00	
4/1997	$220.83	10/31/1999	$69.56	$30.00	
1/1998	$220.83	10/31/1999	$59.62		

Witness my hand at Nashville, Tennessee, on the 21ST day of OCTOBER, 19 99.

This instrument was prepared by the Tennessee Department of Employment Security, State of Tennessee.

MICHAEL E. RAGSDALE
Commissioner of Employment Security

By _____
Delegate of Commissioner
STEPHEN E. OWENBY

FOR REGISTER USE ONLY - PRINT OR STAMP

BOOK NO: BOOK 11727 PAGE 818
PAGE NO:
REGISTER:

DATE:
TIME:
BY:

99 NOV -2 PM 2:12
REGISTER
DAVIDSON COUNTY, TN

0659282
REFERENCE

REGISTER COPY

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

January 6, 2000

Mary A. Coleman
Morris, Schneider & Prior, LLC
3300 NE Expressway
Atlanta, GA 30341

Re: Foreclosure Sale of Property Owned by:
Charles A. Benedict

Dear Ms. Coleman:

This is in reference to your letter dated December 30, 1999 regarding a foreclosure sale of property owned by the above-captioned taxpayer(s), pursuant to the provisions of T.C.A. 67-1-1401 et. seq.

However, the Tennessee Department of Revenue currently does not have any known liens filed against the above named taxpayers.

I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Pete Swift, Revenue Enforcement Manager
Nashville Administrative Office
Revenue Enforcement Division

PS:mp

EXHIBIT "B"