THIS DOCUMENT IS PREPARED, EXECUTED AND RECORDED FOR THE PURPOSE OF CORRECTLY REFLECTING THE LOT NUMBER.

RE; OWENS, TOCCOTA A.

FILE NO.: 066.000359TN\sak
LOAN NO.: 1672229\CONV

**THIS INSTRUMENT PREPARED BY** [redacted]
Joel A. Freedman, Attorney
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Suite 8B
Atlanta, GA 30341

Return to:
Greater NashvilleTitle Co.
223 Madison St., S. 103
Madison, TN 37115

Davidson County DEEDTRS
Recvd: 09/05/00 14:24 4pgs
Fees:18.00 Taxes:0.00

20000905-0087554

# *Corrective

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 20, 1986, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument Number 7088, Page 260, ("Deed of Trust"), Vicky R. Goodman and Roy C. Goodman conveyed to D. Gene Merrill and Frederick E. Brooks, 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 Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2; and

WHEREAS, **Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at Instrument Number **200003160026800**, 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 3/2/00, 3/9/00, 3/16/00, in THE NASHVILLE RECORD, by which advertisement the sale was held on March 23, 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 Instrument No. . 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 **Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 56,434.43; 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 Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2 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 **Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Land in Davidson County, Tennessee, being Lot No. 256B Buena Vista Estates, Zone Lot Division of Lots 255-256, as of record in Book 6900, page 118, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description. Being the same property conveyed to the Grantor (s) by deed of even date being recorded simultaneously herewith. This deed of trust is given to secure payment of a purchase money loan and is made simultaneously with the deed granting the subject property to the borrower.

*Corrected in the legal description 256B rather than 2568

The last recorded Warranty Deed was filed of record at Book 8173, Page 239, 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 **Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2,** its 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 23rd day of March, 2000.

**Clifton E. Darnell**, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 23rd day of March, 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

My Commission Expires: 4-12-03

TRACY L. SHARP NOTARY PUBLIC AT LARGE SHELBY CO. TN COMM. EXP. 4-12-2003

**********

STATE OF TENNESSEE
COUNTY OF SHELBY

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 none, 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 23rd DAY OF MARCH 2000.

Notary Public

My Commission Expires: 4-12-03

TRACY L. SHARP NOTARY PUBLIC AT LARGE SHELBY CO. TN COMM. EXP. 4-12-2003

**********

**MSP No.: 066.000359TN (Dunlap)**
**Lender Loan No.: 1672229**
**Property Address: 3035 Sunnyview Drive, Nashville, TN 37218**
**Tax Parcel ID No.:** 59-5-305

Mail Tax Notices To and Property Owner:
EMC Mortgage Corporation
909 Hidden Ridge Drive, Suite 200
Irving, TX 75038

EXHIBIT "A"

# 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 December 20, 1986, by Vicky R. Goodman and Roy C. Goodman to D. Gene Merrill and Frederick E. Brooks, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Book No. 7088, Page 260, ("Deed of Trust"); and

**WHEREAS**, the beneficial interest of said Deed of Trust was last transferred and assigned to Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2; and

**WHEREAS**, Norwest Bank Minnesota, NA as trustee for Certificate Holders of Saco I, Inc., Series 1999-2, 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, March 23, 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: Land in Davidson County, Tennessee, being Lot No. 2568 Buena Vista Estates, Zone Lot Division of Lots 255-256, as of record in Book 6900, page 118, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description. Being the same property conveyed to the Grantor (s) by deed of even date being recorded simultaneously herewith. This deed of trust is given to secure payment of a purchase money loan and is made simultaneously with the deed granting the subject property to the borrower.

**PROPERTY ADDRESS:** 3035 Sunnyview Drive, Nashville, TN 37218

**CURRENT OWNER(S):** Sheteka Dunlap

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.

In addition, this sale shall be subject to the right of redemption by the **TENNESSEE DEPARTMENT OF REVENUE, TAX ENFORCEMENT DIVISION,** pursuant to T.C.A. 67-1-1433(c)(1) by reason of the following tax lien(s) of record in: Instrument No. . Notice of the sale has been given to the State of Tennessee in accordance with T.C.A. 67-1-1433(b)(1).

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 Sherry Kannengieser
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway
Atlanta, GA 30341
(770) 234-9181 (ext. 176)
MSP File No.: 066.000359TN
Insertion Dates: 3/2/00, 3/9/00, 3/16/00

EXHIBIT "B"

**REVENUE ENFORCEMENT DIVISION**

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

**DON SUNDQUIST**
**Governor**

**RUTH E. JOHNSON**
**Commissioner**

August 24, 2000

Sherry Kannengieser
Morris, Schneider & Prior

Facsimile 770 234-9192

Re: Foreclosure Sale of Property Owned by: Sheketa Dunlap

Entity Number: 002[redacted]0086

Dear Ms. Kannengieser:

This is in reply to your letter dated August 24, 2000 indicating that the real property owned by the above referenced taxpayer was sold at public auction on March 23, 2000 for $56,434.43, which is equal to or less than the amount owed the mortgagees and the cost of the foreclosure.

After reviewing the information furnished by you, we are releasing the State's tax lien on the property sold. We trust this has answered your letter, but if not, please let us know.

Sincerely,

Becky Tellas

Becky Tellas, Account Tech I
Special Procedures Section
Revenue Enforcement Division

BT/clw
c: *file*