Re-recorded to add Notice to the State of Tennessee
Department of Employment Security and Department of Revenue

FILE BOX 45

Davidson County DEEDTRS
Recvd: 02/22/01 14:27 11pgs
Fees:46.00 Taxes:0.00
20010222-0016802

Davidson County DEEDTRS
Recvd: 11/06/00 13:47 6pgs
Fees:26.00 Taxes:0.00
20001106-0110073

This Instrument Prepared by:
Robert M. Wilson, Jr.
WILSON & ASSOCIATES, P.L.L.C.
200 West Jefferson, Suite 275
Memphis, Tennessee 38103
(901) 578-9914

TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 30, 1987 and recorded on May 4, 1987 at Book 7223, Page 343 in the Register's Office of DAVIDSON County, Tennessee, Avery J. Smith, and Ursula I. Smith conveyed to D. Gene Merrill and Frederick E. Brooks, Residents of Fairfax County, as Trustee for Atlantic Coast Mortgage Company, the hereinafter-described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the holder of the debt secured has appointed the undersigned **ROBERT M. WILSON, JR.** as Successor-Trustee by instrument of record recorded on July 12, 1999 at Book 11568, Page 934 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 has requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, the said property was, by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust, by which advertisement notice was given that the sale was to be held on February 24, 2000 at the DAVIDSON County Courthouse in Nashville, Tennessee; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which time the said property was struck off and sold to CHASE MANHATTAN MORTGAGE CORPORATION, at and for the sum of $87,267.65, that being the highest and best bid offered; and

WHEREAS, the said CHASE MANHATTAN MORTGAGE CORPORATION has assigned its interest in the said property to the Secretary of Housing and Urban Development of Washington, D.C., and unto its successors and assigns; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor-Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by CHASE MANHATTAN MORTGAGE CORPORATION of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Robert M. Wilson, Jr., as Successor-Trustee, does hereby grant, bargain, sell, and convey to the said Secretary of Housing and Urban Development of Washington, D.C., its successors and assigns, the property above mentioned and now further described as being in DAVIDSON County, Tennessee, to wit:

Land in Davidson County, Tennessee, being Lot No. 18 on the Plan of Percy Priest Meadows, Section I of record in Book 4675, Page 110, Register's Office for said County, to which reference is made for a more complete description. Being the same property conveyed to Grantors by deed being recorded simultaneously herewith.

Commonly known as: 2968 Cherry Hills Drive, Antioch, TN 37013

The above-described property is conveyed subject to the rights of the United States of America to redeem the property as provided for in 26 U.S.C. §7425(d)(1) and/or subject to the rights of the State of Tennessee to redeem the property as provided for in §67-1-1433(c)(1).

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto the Secretary of Housing and Urban Development of Washington, D.C., and unto its successors and assigns.

IN WITNESS WHEREOF, the said Robert M. Wilson, Jr., Successor-Trustee, has hereunto set his hand and seal this 25th day of February, 2000.

Robert M. Wilson, Jr.
Successor-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

On this 25th day of February, 2000, before me, a notary public within and for the county and state aforesaid, personally appeared Robert M. Wilson, Jr., known to me to be the person described in and who executed the foregoing instrument, and who acknowledged that he executed the same as Successor-Trustee for the purposes therein contained as his free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Lynn B. Wyse
Notary Public

OFFICIAL SEAL
LYNN B. WYSE
NOTARY PUBLIC - ARKANSAS
FAULKNER COUNTY
My Commission Expires 04-26-2003

My Commission Expires: 04/26/2003

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $0.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Robert M. Wilson, Jr.

ACKNOWLEDGMENT

P.A. Receipt: Free Printing Print Time: 2/20/01 1:52:39 PM Instr. No: 200011060110073 P.A. Customer: CERTIFIED COPIES

2 of 6

STATE OF ARKANSAS
COUNTY OF PULASKI

On this 25th day of February, 2000, before me, a notary public within and for the county and state aforesaid, personally appeared Robert M. Wilson, Jr., known to me to be the person described in and who executed the foregoing instrument, and who acknowledged that he executed the same as Successor-Trustee for the purposes therein contained as his free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

OFFICIAL SEAL
LYNN B. WYSE
NOTARY PUBLIC - ARKANSAS
FAULKNER COUNTY
My Commission Expires 04-26-2003

Lynn B. Wyse
Notary Public

My Commission Expires: 04/26/2003

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Golden Feather Realty Services, Inc.
180 N. Lasalle
Suite 1900
Chicago IL 60601

Parcel No. 150/06/41.00

W&A No. 700-8322
Loan No. 1949378
FHA No. 483-1347142

DSTDeedforHUDBOTHTAX_kdavidson_000225_1304

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3 of 6

WILSON & ASSOCIATES, P.L.L.C.

Wilson & Associates, P.L.L.C.
Attorneys at Law

1521 Merrill Drive
Suite D-220
Little Rock, AR 72211
501-219-9388
Fax 501-219-9458

Offices:

17 West Pontotoc Avenue
Suite 205
Memphis, TN 38103
901-578-9914
Fax 901-578-9917

3200 West End Avenue
Suite 500
Nashville, TN 37203
615-783-1741
Fax 615-783-1743

January 22, 2000

VIA CERTIFIED MAIL

Special Procedures
INTERNAL REVENUE SERVICE
P.O. Box 1107 (MDP 148)
Nashville, Tennessee 37202

RE: Avery J. Smith and Ursula I. Smith
2968 Cherry Hills Drive
Antioch, TN 37013
Loan No. 1949378 / W&A No. 700-8322
FHA No. 483-1347142

Gentlemen:

By this certified letter, notice is hereby given pursuant to 26 U.S.C. §7425(b) of a foreclosure of a deed of trust superior to a federal tax lien filed against the Defendant, Avery J. Smith, said lien being more particularly described in the enclosed Notice of Trustee's Sale. In addition, the following information is provided in regard to the above-referenced non-judicial foreclosure sale:

1. Erica Erickson
Chase Manhattan Mortgage Corporation
3415 Vision Drive
Columbus, OH 43219

2. A copy of the federal tax lien(s) (attached hereto as Exhibit A);

3. A copy of the property description and title opinion (attached hereto as Exhibits B and C respectively);

4. Not applicable;

5. Sale date and location: February 24, 2000 at 12:00 P.M. at the main entrance of the DAVIDSON County Courthouse in Nashville, Tennessee; and

6. The principal balance due is $66,151.63; and the approximate legal fees and costs are $1,200.00.

P.A. Receipt: Free Printing Print Time: 2/20/01 1:52:39 PM Instr. No: 200011060110073 P.A. Customer: CERTIFIED COPIES

Thank you for your consideration and attention to this matter. Should you have any questions, please contact me at (501) 219-9388 (or facsimile at (501) 219-9458).

Sincerely,

WILSON & ASSOCIATES, P.L.L.C.

Cade E. Cox

CLC/mf
Enclosures

cc w/enc:
Erica Erickson

CtoIRS_2_mfisher_000122_ 727

P.A. Receipt: Free Printing Print Time: 2/20/01 1:52:39 PM Instr. No: 200011060110073 P.A. Customer: CERTIFIED COPIES

Internal Revenue Service

District
Director

Department of Treasury

P. O. Box 1107, MDP 53
Nashville, TN 37202

Person to Contact:
P. Jackson
Badge No. 62-09322
Telephone Number:
(615) 250-5749
Fax Number:
(615) 250-6008
Date:
June 30, 1999

Wilson & Associates, PLLC
1521 Merrill Drive
Suite D-220
Little Rock, AR 72211

Re: Notice of Non-judicial Sale

700-8322

Taxpayer: Avery J. Smith
TIN: 62-1434210
Property: 2968 Cherry Hills Drive, Antioch, TN 37013

Dear Ms. Litaker:

This is to acknowledge receipt of your correspondence dated June 24, 1999 regarding the above named taxpayer. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425(c) of the Internal Revenue Code of 1986.

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown in the heading of this letter.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487, by calling 1-800-TAX-FORM. A payment may be required to secure a release.

We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to us. If the sale is canceled, please provide a brief explanation as to the reason.

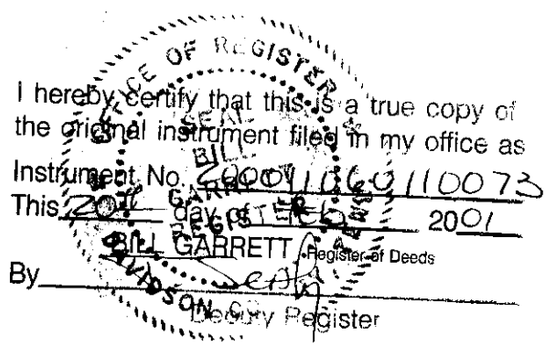
Thank you for your cooperation.

Sincerely,

Gary A. Eaton
Chief, Advisory Section

Enclosure

P.A. Receipt: Free Printing Print Time: 2/20/01 1:52:39 PM Instr. No: 200011060110073 P.A. Customer: CERTIFIED COPIES



I hereby certify that this is a true copy of the original instrument filed in my office as Instrument No. 2001136011007 3

This 20th day of February 2001

BILL GARRETT, Register of Deeds

By Deputy Register

WILSON & ASSOCIATES, P.L.L.C.

Wilson & Associates, P.L.L.C.
Attorneys at Law

1521 Merrill Drive
Suite D-220
Little Rock, AR 72211
501-219-9388
Fax 501-219-9458

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901-578-9914
Fax 901-578-9917

3200 West End Avenue
Suite 500
Nashville, TN 37203
615-783-1741
Fax 615-783-1743

January 22, 2000

VIA CERTIFIED MAIL

Mr. Wilbur Hooks
Director, Tax Enforcement Division
Department of Revenue
P.O. Box 190665
Nashville, Tennessee 37219-0665

RE: Avery J. Smith and Ursula I. Smith
2968 Cherry Hills Drive
Antioch, TN 37013
Loan No. 1949378 / W&A No. 700-8322
FHA No. 483-1347142

Dear Mr. Hooks:

Enclosed please find a Notice of Trustee's Sale and title opinion pertinent to the above-referenced non-judicial foreclosure. By virtue of this certified letter, I am giving notice as required of a possible state tax lien filed against the Defendant, Avery J. Smith, said lien being more particularly described in the enclosed Notice of Trustee's Sale.

Thank you for your consideration and attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely yours,

WILSON & ASSOCIATES, P.L.L.C.

Cade L. Cox

CLC/mf
Enclosures
cc w/enc.:
Ms. Erica Erickson

CtoStateTaxDept_2_mfisher_000122_ 727

TAX ENFORCEMENT DIVISION

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

January 28, 2000

Mr. Cade L. Cox
Wilson & Associates, PLLC
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211

700-8327

Re: Foreclosure Sale of Property Owned by: **Avery J. Smith & Ursula Smith**

Entity Number: **0002-426194697**

Dear Mr. Cox:

This is in reference to your letter dated January 22, 2000 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. The amount of taxes, penalties and interest that is due as of **February 24, 2000** is **$11,357.23**.

After the sale, please furnish me with an accounting of the sale (closing statement), and I will release the State's tax lien on the property sold. 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/jes

WILSON & ASSOCIATES, P.L.L.C.

Wilson & Associates, P.L.L.C.
Attorneys at Law

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901-578-9914
Fax 901-578-9917

3200 West End Avenue
Suite 500
Nashville, TN 37203
615-783-1741
Fax 615-783-1743

January 22, 2000

State of Tennessee
Department of Employment Services
Nashville, TN 37245

RE: Avery J. Smith and Ursula I. Smith
2968 Cherry Hills Drive
Antioch, TN 37013
Loan No. 1949378 / W&A No. 700-8322
FHA No. 483-1347142

THIS LAW FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED CAN BE USED FOR THE PURPOSE OF COLLECTING THAT DEBT

Dear State of Tennessee :

Please be advised that the first advertisement of the Substitute Trustee's sale pertaining to the real estate (and any improvements thereon) commonly known as 2968 Cherry Hills Drive, Antioch, TN 37013, will appear on **February 3, 2000 in *The Nashville Record.*** The foreclosure sale is scheduled to be held on **February 24, 2000 at 12:00 P.M. at the DAVIDSON County Courthouse in Nashville, Tennessee.**

THE FIRM OF WILSON & ASSOCIATES, P.L.L.C. COLLECTS DEBTS FOR MORTGAGE LENDERS. ANY INFORMATION OBTAINED IN THIS REGARD MAY BE USED FOR THAT PURPOSE.

Sincerely,

WILSON & ASSOCIATES, P.L.L.C.

Cade L. Cox

CLC/mf

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700-8322

STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
EMPLOYMENT SECURITY DIVISION

Legal Office
William R. Snodgrass Bldg., 25th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0100
(615) 741-3170
(615) 532-7386 FAX

January 27, 2000

Mr. Cade L. Cox
Wilson & Associates, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211

RE: Property of John Morris & Avery Smith
TDLWD Acct. #340-502
TDLWD Lien #I-1233 (Davidson County)
W&A #700-8322
Notice of Trustee's Sale

Dear Mr. Cox:

Your letter of January 22, 2000, is acknowledged, along with the attendant Notice of Trustee's Sale, and this will respectfully advise:

1. That said Notice is accepted as being timely and adequate; and,

2. That the amount of delinquent unemployment taxes, penalty and interest computed to date of sale is $1,707.01.

It is requested that you further advise us after the sale regarding: (i) actual proceeds of sale; (ii) net mortgage balance owed to the foreclosing creditor; (iii) sale costs; (iv) other liens, and this Agency's apparent position of priority with respect to same; and, (v) your proposed distribution of sale proceeds.

Should you have further questions regarding this matter, please let us know.

Sincerely,

Michael D. Fort
Counsel to Commissioner

MDF:PDR

cc: James A. Matheney, Central Office