Davidson County DEEDTRS
Recvd: 06/04/01 16:07 3pgs
Fees:15.50 Taxes:113.96
20010604-0057753

Tennessee
Map # 133-14-A-65CO

Roderick Brown
CHL # 9733738

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 5, 1998, and recorded in Book 10929, Page 943 in the Register's Office of Davidson County, Tennessee, Roderick Brown, married, conveyed to Arnold M. Weiss, Trustee(s), 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, default was made in the terms and conditions of said Deed of Trust, and the beneficiary 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 the sale was appointed to be held on May 22, 2001, at the Main (South) Door of the Courthouse of Davidson County, 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 sale Bank of New York, As Trustee, a corporation, being the highest and best bidder, became the purchaser of said property at and for the sum of Thirty Thousand Eight Hundred Dollars and 00/100; and,

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

NOW, THEREFORE, in consideration of the premises and the payment by Bank of New York, As Trustee of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Bank of New York, As Trustee, its successors and assigns in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Being Unit E-7 of Oakcrest Condominium created under Title 66, Section 27-101, et seq. as amended, Tennessee Code Annotated, and as established by a Master Deed of record in Book 5884, Page 960, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said unit as set forth in Exhibit A-1 of said Master Deed. Reference is hereby made to the plat of Oakcrest Condominium, of record in Book 5200, Page 413, said Register's Office, for a more complete description of such unit.

Roderick Brown obtained title to the above referenced real estate by Deed of record in Book 10929, Page 940, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

Proper notice of this sale has been given to the State of Tennessee and is made subject to the redemption rights of the State of Tennessee.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Bank of New York, As Trustee, its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

The said Substitute Trustee has applied the consideration as follows:

| | |
|---|---|
| Recording Appointment of Substitute Trustee | 10.00 |
| Publication Expense | 255.00 |
| Attorney's Fees and Trustees Fees | 500.00 |
| Credit on Note | 30,035.00 |
| | $30,800.00 |

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on May 22, 2001 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On May 22, 2001 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

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

NOTARY PUBLIC

BRENDA DOYLE NOTARY PUBLIC AT LARGE MY COMM. EXP. 11-14-04 SHELBY CO. TN

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
420 Elysian Field Road, E7,
Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

Bank of New York, As Trustee
C/o Countrywide Home Loans
400 Countrywide Way
Simi Valley, CA 93065

Mortgagee: None

This instrument prepared by:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103

mail to:

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 30,800.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF May 22 20 01
NOTARY PUBLIC Brenda Doyle
MY COMMISSION EXPIRES

BRENDA DOYLE NOTARY PUBLIC AT LARGE SHELBY CO. TN

**REVENUE ENFORCEMENT DIVISION**

**DON SUNDQUIST**
**Governor**

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

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

April 19, 2001

Arnold M Weiss
Law Office
208 Adams Ave
Memphis, TN 38103-1991

Re: Foreclosure Sale of Property Owned by: **Roderick Brown**

Entity Number: **002 415048041**

Dear Mr. Weiss:

This is in reference to your letter dated April 9, 2001 regarding a foreclosure sale of property owned the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. 67-1-1401 et. seq., but the State of Tennessee's lien recorded September 30, 1992 in book 8742 on page 757, in Davidson, County Tennessee appears to be superior to the referenced security instrument on this property.

Following the sale, 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 **May 22, 2001** is **$7,271.39**.

Upon the receipt of these funds, 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,

Becky Tellas

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

BT/elw

c: *file*