RE-RECORD

Davidson County DEEDTRS
Recvd: 02/27/02 09:00 8pgs
Fees:43.00 Taxes:0.00
20020227-0024691

FILE NO.: 560.017952TN\zcd
LOAN NO.: 0005421320\CONV

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

Davidson County DEEDTRS
Recvd: 12/27/01 15:50 2pgs
Fees:13.00 Taxes:700.84
[redacted]
20011227-0142801

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 22, 2000, and recorded in the Register's Office of Davidson County, Tennessee, at Instrument No. 200002070012696, ("Deed of Trust"), Kenneth E. Russell and Tammy D. Russell conveyed to Deb Randolph, 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 First Union Home Equity Bank, N.A.; and

WHEREAS, **First Union National Bank of Delaware, successor by merger of First Union Home Equity Bank, N.A.,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200107240078372** 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 11/15/01, 11/22/01 & 11/29/01, in THE NASHVILLE RECORD, by which advertisement the sale was held on December 6, 2001, at the Main South entrance in Nashville, Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, Federal Tax Lien(s) have been filed against the subject property in the Register's Office of Davidson County, Tennessee, at Book 20001002, Page 0097397. Notice of the sale was given to the United States pursuant to 26 U.S.C. 7425(b) and a copy is attached hereto as Exhibit "A". The response of the United States is attached hereto as Exhibit "B". The property is subject to the right of the United States to redeem pursuant to 26 U.S.C. 7425(d)(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 **First Union National Bank of Delaware, successor by merger of First Union Home Equity Bank, N.A.,** being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 189,415.21; 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 First Union National Bank of Delaware successor by merger of First Union Home Equity Bank, N.A. 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 **First Union National Bank of Delaware successor, by merger of First Union Home Equity Bank, N.A.,** 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, described as follows, to wit:
Being Lot No. 27 on the plan of Phase Three Lakeridge, of record in Plat Book 9700, Page 369, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.
Being the same property conveyed to Kenneth E. Russell and wife, Tammy D. Russell, by deed of record in Book 10722, Page 956, Register's Office for Davidson County, Tennessee.
The property address is 3813 Lakeridge Run, Nashville, Tennessee 37214.

The last recorded Warranty Deed was filed of record at Instrument No.10722 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 **First Union National Bank of Delaware, successor by merger of First Union Home Equity Bank, N.A.,** 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 13th day of December, 2001.

Clifton E. Darnell, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 13th day of December, 2001, 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: My Commission Expires Dec. 14, 2004

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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 $ 189,415.21, 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 13th DAY OF DECEMBER 2001.

Notary Public

My Commission Expires: My Commission Expires Dec. 14, 2004

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MSP No.: 560.017952TN (Russell)
Lender Loan No.: 0005421320
Property Address: 3813 Lakeridge Run, Nashville, TN 37214
Tax Parcel ID No.: 109-01-0-A ; 66.00

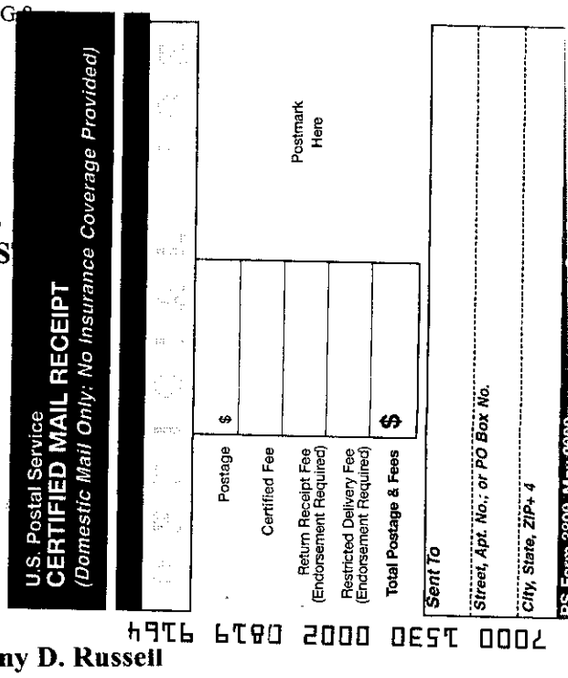
Mail Tax Notices To and Property Owner:
Fidelity National Foreclosure & Bankruptcy Solutions, Inc
1270 Northland Drive, Suite 200
Mendota Height, MN 55120

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

ATTORNEYS AND COUNSELORS AT LAW
3300 N.E. EXPRESSWAY, BUILDING 8
ATLANTA, GA 30341
(770) 234-9181
FAX (770) 234-9192

November 5, 2001

VIA CERTIFIED MAIL
RETURN RECEIPT REQUES
Copy Via Regular Mail



Area Director- Compliance
Attn: Technical Support- P. Jackson
801 Broadway MDP 53
Nashville, TN 37203

Re: Notice of Federal Tax Lien
MSP File Number: 560.017952TN
Lender Loan No.: 0005421320
Name Per Client: Kenneth E. Russell and Tammy D. Russell
Property Address: 3813 Lakeridge Run
Nashville, TN 37214

Dear Sir or Madam:

I am writing to advise you in accordance with 26 U.S.C. 7425 that Fidelity National Foreclosure & Bankruptcy Solutions, Inc has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on December 6, 2001. 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 federal 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 federal tax lien(s) found; said lien(s) were recorded in Instrument No. 200010020097397.

We are not certain that the parties named in the federal 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: Kenneth E. Russell [redacted]-2593) and Tammy D. Russell [redacted]-9930) . A copy(ies) of the deed(s) conveying the subject property into said individual(s) is/are also enclosed.

The unpaid principal balance of the loan against the above-referenced property is approximately $228,826.77. Interest through the sale date is approximately 25,264.73. 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.

Zac C. Dashner

Enclosures
cc: Fidelity National Foreclosure & Bankruptcy Solutions, Inc

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 January 22, 2000, by Kenneth E. Russell and Tammy D. Russell to Deb Randolph, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Instrument No. 200002070012696, ("Deed of Trust"); and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to First Union Home Equity Bank, N.A.; and

WHEREAS, First Union National Bank of Delaware successor by merger of First Union Home Equity Bank, N.A., 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, December 6, 2001**, 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, described as follows, to wit:

Being Lot No. 27 on the plan of Phase Three Lakeridge, of record in Plat Book 9700, Page 369, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being the same property conveyed to Kenneth E. Russell and wife, Tammy D. Russell, by deed of record in Book 10722, Page 956, Register's Office for Davidson County, Tennessee.

The property address is 3813 Lakeridge Run, Nashville, Tennessee 37214.

PROPERTY ADDRESS: 3813 Lakeridge Run, Nashville, TN 37214

CURRENT OWNER(S): Kenneth E. Russell and Tammy D. Russell

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.

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF THE U.S. TREASURY,** pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in: Book 20001002, Page 0097397. Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

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 Zac C. Dashner
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341
(770) 234-9181 (ext. Ext. 265)
MSP File No.: 560.017952TN

Web Site: www.foreclosures.msplaw.com
Insertion Dates: 11/15/01, 11/22/01 & 11/29/01

Form 668 (Y) (c)
(Rev. October 1999)

1818

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

District	Serial Number	For Optional Use by Recording Office
KENTUCKY-TENNESSEE	620056244	Davidson County LIENFTL Recvd: 10/02/00 10:21 1pgs Fees:10.00 Taxes:0.00 20001002-0097397

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer: KENNETH E & TAMMY D RUSSELL

Residence: 3813 LAKERIDGE RUN
NASHVILLE, TN 37214-2696

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/1997	[redacted]2593	01/11/1999	02/10/2009	6636.82

Place of Filing:
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 6636.82

This notice was prepared and signed at Nashville, TN, on this, the 27th day of September, 2000.

Signature: for AGNES [illegible] Delaney

Title: ACS 62-01-0000
(800) 829-7650

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971-2 C.B. 409)

PART 1 - KEPT BY RECORDING OFFICE

Form 668 (Y) (c) (Rev. 10-98)
CAT. NO. 60025X

~U.S. GOVERNMENT PRINTING OFFICE: 1998-451-032/20001

P.A. Receipt: T20010068822 Print Time: 6/25/01 9:08:19 AM Instr. No: 200010020097397 P.A. Customer: RICK

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

November 13, 2001

Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, Georgia 30341

Dear Mr. Dashner:

This is to acknowledge receipt of your correspondence dated November 5, 2001 regarding Kenneth and Tammy Russell, 3813 Lakeridge Run, Nashville, Tennessee 37214, TIN 401-94-2593. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 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 below.

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 the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.

If you have any questions, please contact P. Jackson, badge number 62-09322, telephone number, (615)250-5749, fax to (615)250-6008, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.

Sincerely,

K. Scott Franks
Technical Support Group Manager

Enclosure