Davidson County DEEDTRS
Recvd: 01/15/03 10:33 3pgs
Fees:17.00 Taxes:0.00
[redacted]
20030115-0006297

THIS INSTRUMENT PREPARED BY AND RETURN TO
LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
6750 LENOX CENTER COURT, SUITE 202
MEMPHIS, TN 38115

Tennessee VA

THIS INSTRUMENT IS BEING RE-RECORDED TO INCLUDE IRS TAX NOTICES:

Name: James W. Tomlinson
S&K#: 02-3177
VA #: 0202060449116
Loan #: 8004138858

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 18, 1996, recorded in Book 10312, Page 842, Register's Office of DAVIDSON County, Tennessee, James W. Tomlinson, a married man, joined by his wife, Janice L. Tomlinson conveyed to Mary Frances Rudy, Trustee, 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 appointed the undersigned as Substitute Trustee by Instrument of record in Instrument 20021108-0138162, Register's Office of DAVIDSON County, Tennessee; 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 sale Deed of Trust by which advertisement the sale was appointed to be held on January 8, 2003 at the DAVIDSON County Courthouse in Nashville Tennessee, at 10:00 AM; 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 WASHINGTON MUTUAL BANK, FA, successor in interest to Fleet Mortgage Corp., whose address is P.O. Box 1169 Milwaukee, WI 53201-1169, at and for the sum of $54,343.87, that being the highest and best bid offered; and,

WHEREAS, the said WASHINGTON MUTUAL BANK, FA, successor in interest to Fleet Mortgage Corp. has assigned its interests in the said property to Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns; 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 WASHINGTON MUTUAL BANK, FA, successor in interest to Fleet Mortgage Corp., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Denise Griffin, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Secretary of Veterans Affairs, an Officer of the United States of America, his 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:

RE-RECORD

Davidson County DEEDTRS
Recvd: 01/28/03 13:46 8pgs
Fees:42.00 Taxes:0.00
20030128-0011572

Described property located in Davidson County, Tennessee, to wit:

Unit Number 105 as created and established by the Master Deed and Bylaws for Poplar Glen, a Horizontal Property Regime, of record in Book 7534, Page 591, Register's Office for Davidson County, Tennessee, as amended by Amendment of record in Book 7548, Page 612, said Register's Office, and as shown and described on the Plan for Poplar Glen, Phase I, of record in Book 6900, Page 646, Register's Office for Davidson County, Tennessee, to all of which reference is here made for a more complete description, together with an undivided percentage interest in Common Elements allocated to said Unit as set forth in said Master Deed and Bylaws, as may be from time to time amended as provided therein.

This legal description is identical with that in Deed recorded in Book 10312, Page 842, Register's Office of DAVIDSON County Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Book 10312, Page 842, Register's Office of DAVIDSON County, Tennessee.

The last quit claim deed of record is Quit Claim Deed, recorded in Book 8892, Page 419, Register's Office for DAVIDSON County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines, easements and any other matter of record.

This conveyance is subject to the right of the United States of America to redeem the land as provided for in 26 U.S.C. 7425 (d) (1). Attached hereto is a copy of said notice.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Secretary of Veterans Affairs, an Officer of the United States of America, his successors and assigns, in fee simple forever, to whom the said Denise Griffin, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under it, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Denise Griffin, Substitute Trustee, has hereunto set its hand and seal on the 8th day of January, 2003.

Denise Griffin, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 8th day of January, 2003, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Denise Griffin to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she 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.

12/20/05
My commission expires:

JENA R. SINCLAIR NOTARY PUBLIC AT LARGE SHELBY CO., TN
My Comm. Exp. 12-20-05

Notary Public

02-3177

NO TAX/GOVERNMENTAL AGENCY

PROPERTY ADDRESS: 423 LEMONT DRIVE #105, , NASHVILLE, TN, 37216

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Veterans Affairs
c/o Director, VA Regional Office
110 9th Avenue, S.
Nashville, TN 37203

S & K File #02-3177
Map & Parcel - 61-5-A/33

02-3177
1-803

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

SMALL BUSINESS/SELF-EMPLOYED DIVISION

November 21, 2002

Law Offices of Shapiro & Kirsch, L.L.P.
6750 Lenox Center Court
Memphis, Tennessee 38115

Dear Mr. Kirsch:

This is to acknowledge receipt of your correspondence dated November 13, 2002 regarding James W. Tomlinson, 423 Lemont Drive, #105, Nashville, Tennessee 37216, TIN [redacted]-0443. 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)250-5406, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.

Sincerely,

K. Scott Franks
Technical Support Group Manager

Enclosure

LAW OFFICES OF SHAPIRO & KIRSCH, L.L.P.
6750 LENOX CENTER COURT
MEMPHIS, TENNESSEE 38115
(901) 767-5566

November 13, 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7002 0510 0004 0004 5587

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

Attention: P. Jackson

Dear Sir:

The undersigned, as Substitute Trustee, under that certain purchase money Deed of Trust from James W. Tomlinson, a married man, joined by his wife, Janice L. Tomlinson to Mary Frances Rudy, Trustee, dated December 16, 1996, recorded in the Register's Office of DAVIDSON County, Tennessee, in Book 10312, Page 842, has been requested by the noteholder, WASHINGTON MUTUAL BANK, FA f/k/a Washington Mutual Home Loans, Inc. successor by merger in interest to Fleet Mortgage Corp., to sell the security pursuant to the terms of the obligation secured thereby and notice of the proposed sale is hereby given pursuant to Section 7425 of the Internal Revenue Code of 1954.

Enclosed please find a copy of the Notice of Federal Tax Lien recorded in Instrument 20010808-0085493, in the Register's Office of DAVIDSON County, Tennessee.

With respect to the property to be sold, the following information is hereby given:

(a) The description of the property is affected by the Notice, as listed in the deed and Deed of Trust recorded in the aforesaid Register's Office Described property located in Davidson County, Tennessee, to wit:

Unit Number 105 as created and established by the Master Deed and Bylaws for Poplar Glen, a Horizontal Property Regime, of record in Book 7534, Page 591, Register's Office for Davidson County, Tennessee, as amended by Amendment of record in Book 7548, Page 612, said Register's Office, and as shown and described on the Plan for Poplar Glen, Phase I, of record in Book 6900, Page 646, Register's Office for Davidson County, Tennessee, to all of which reference is here made for a more complete description, together with an undivided percentage interest in Common Elements allocated to said Unit as set forth in said Master Deed and Bylaws, as may be from time to time amended as provided therein.

(b) The proposed sale of the property, pursuant to the terms of the first Deed of Trust referred to above is to be held on January 8, 2003 @ **Nashville**, Tennessee.

The approximate amount of the principal obligation, including interest, secured by the lien of said deed of trust and description of the other expenses which may be charged against the sale proceeds are as follows:

Unpaid principal balance	$ 47,595.55
Interest 3/02-1/03	$ 3,227.40
Late charges	$ 306.57
Attorney fees	$ 550.00
Advertisement	$ 450.00
Recording charges	$ 12.00
State tax	$ 172.07
TOTAL	$_52,313.59

Enclosed is a copy of the Deed of Trust.

If your office is in need of further information, please advise.

Sincerely,

LAW OFFICES OF SHAPIRO & KIRSCH

Joe M. Kirsch

Enclosures

[redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **January 8, 2003, at 10:00 a.m. ,local time**, the main door, Davidson County Courthouse, Nashville, Tennessee pursuant to Deed of Trust executed by James W. Tomlinson, a married man, joined by his wife, Janice L. Tomlinson to Mary Frances Rudy, Trustee, on December 16, 1996 at Book 10312, Page 842, and conducted by Joe M. Kirsch or Denise Griffin, Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: WASHINGTON MUTUAL BANK, FA f/k/a Washington Mutual Home Loans, Inc. successor by merger in interest to Fleet Mortgage Corp.

The following real estate located in Davidson County, Tennessee, will be sold to the highest call bidder subject to all unpaid taxes, prior liens and encumbrances of record:

Described property located in Davidson County, Tennessee, to wit:

Unit Number 105 as created and established by the Master Deed and Bylaws for Poplar Glen, a Horizontal Property Regime, of record in Book 7534, Page 591, Register's Office for Davidson County, Tennessee, as amended by Amendment of record in Book 7548, Page 612, said Register's Office, and as shown and described on the Plan for Poplar Glen, Phase I, of record in Book 6900, Page 646, Register's Office for Davidson County, Tennessee, to all of which reference is here made for a more complete description, together with an undivided percentage interest in Common Elements allocated to said Unit as set forth in said Master Deed and Bylaws, as may be from time to time amended as provided therein.

Street Address: 423 Lemont Drive #105, Nashville, TN 37216

Owner(s) of Property: James W. Tomlinson

Other Interested Parties: Household Financial Center, Inc.

The street address of the above described property is believed to be 423 Lemont Drive #105, Nashville, TN 37216, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

Terms of sale will be public auction, for cash, free and clear of the rights of homestead, redemption and dower, and the rights of James W. Tomlinson, a married man, joined by his wife, Janice L. Tomlinson, and those claiming through them, and subject to the right of redemption by the DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE by reason of tax lien of record in Instrument 20010808-0085493, Register's Office Davidson County, Tennessee, subject to any accrued taxes and restrictions.

All right of equity of redemption, statutory and otherwise, and homestead 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.

If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder.

This office is a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Joe M. Kirsch or Denise Griffin, Substitute Trustee
Shapiro & Kirsch, L. L. P.
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
(901) 767-5566

Publication dates: November 22, 29, December 6, 2002 02-3177