22

03-0214-THDA
This instrument prepared by:
I. DYKE TATUM
ATTORNEY AT LAW
SUITE 200, ARENA PLACE
2001 CHARLOTTE AVENUE
NASHVILLE, TN 37203
MAP/PARCEL 150-7 396
3333 TOWNE VILLAGE
ANTIOCH, TN 37013

NO MORTGAGE
New Owner - Send Tax Bills:
TENNESSEE HOUSING DEVELOPMENT AGENCY
404 JAMES ROBERTSON PARKWAY #1114
NASHVILLE TN, 37243-0900

Davidson County DEEDTRS
Recvd: 04/24/03 12:01 4pgs
Fees:22.00 Taxes:0.00
20030424-0055137

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on December 8, 1999, M. TODD JACKSON, was named Trustee in a Deed of Trust of even date executed by FEDERICO G. GALLEGOS AND WIFE, ARACELI GALLEGOS conveying to him as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of $104,908.00, principal and interest at 6.75% per annum on the unpaid balance, said Deed of Trust being recorded in Instrument Number 199912150303399 in the Register's Office for DAVIDSON County, Tennessee; and

WHEREAS, I. DYKE TATUM, was appointed Substitute Trustee under said Deed of Trust by instrument of record in INSTRUMENT 20030422-0052885 in the Register's Office for DAVIDSON County, Tennessee; I, I. DYKE TATUM, Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust, advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3)successive publications, namely: March 27, 2003 / April 3, 2003 / April 10, 2003, in THE NASHVILLE RECORD, a newspaper published in DAVIDSON County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on April 22, 2003, at 11:00 AM, at FRONT DOOR OF THE COURTHOUSE, DAVIDSON COUNTY, TENNESSEE , I, as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time TENNESSEE HOUSING DEVELOPMENT AGENCY, 404 JAMES ROBERTSON PARKWAY #1114, NASHVILLE, TN 37243-0900 submitted the highest and best bid in the amount of $111,221.57

NOW THEREFORE, in consideration of the premises, I, I. DYKE TATUM, Substitute Trustee, do hereby sell, transfer and convey to TENNESSEE HOUSING DEVELOPMENT AGENCY its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

PROPERTY LOCATED IN DAVIDSON COUNTY, TENNESSEE:

BEING LOT NO. 377 ON THE PLAN OF TOWNE VILLAGE OF THE COUNTRY, SECTION 4B, OF RECORD IN PLAT BOOK 6250, PAGE 496, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION THEREOF.

BEING THE SAME PROPERTY CONVEYED TO FEDERICO G. GALLEGOS AND WIFE, ARACELI GALLEGOS BY DEED FROM WILLIAM E. HARRIS AND WIFE, DEBRA A. HARRIS OF RECORD IN INSTRUMENT 199912150303398, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

THE LAND HEREIN ABOVE DESCRIBED IS CONVEYED SUBJECT TO THE RIGHTS OF THE UNITED STATES OF AMERICA TO REDEEM THE LAND AS PROVIDED FOR IN 26 U.S.C. 7425(d)(1)

I, I. DYKE TATUM, Substitute Trustee, convey to TENNESSEE HOUSING DEVELOPMENT AGENCY all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at NASHVILLE, Tennessee, on April 22, 2003.

I. DYKE TATUM
Substitute Trustee

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named , I. DYKE TATUM, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at NASHVILLE, Tennessee, on April 22, 2003.

Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 11/25/06

STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $111,221.57

Affiant

Subscribed and sworn to before me, this day of April 22, 2003.

Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 11/25/06

RETURN TO:
I. DYKE TATUM
ATTORNEY AT LAW
SUITE 200, CHARLOTTE AVENUE
NASHVILLE, TN 37203

Exhibit 'A'

Law Offices

TATUM & JONES

Suite 200, Arena Place
2001 Charlotte Avenue
Nashville, TN 37203

I. Dyke Tatum
J. Phillip Jones

Tel (615) 321-5540
Fax (615) 321-5557

March 20, 2003

INTERNAL REVENUE SERVICE
SPECIAL PROCEDURES STAFF
P. O. BOX 1107
NASHVILLE, TN 37202

RE: Federal Tax Lien
SERIAL NO.:629723334
ID #[redacted]-5307
FEDERICO & ARACELI GALLEGOS
3333 TOWNE VILLAGE
ANTIOCH, TN 37013

Dear Sir or Madam:

This will notify the Internal Revenue Service that property affected by the Federal Tax Lien referred to above will be sold at public auction, to the highest bidder for cash, on April 22, 2003 at 11:00 AM at FRONT DOOR OF THE COURTHOUSE, DAVIDSON COUNTY, TENNESSEE, DAVIDSON County, Tennessee. This property is more adequately described in attached Schedule A. Please find attached the following:

1. Copy of the Tax Lien
2. Copy of the Deed of Trust being foreclosed on
3. Copy of the Mortgage Title Policy N/A
4. Copy of the Notice of Publication

The outstanding balance of the note secured by the mortgage to be foreclosed is 109,818.09. The holder of the mortgage will at the sale bid in the property at approximate $116,418.46, plus costs and fees of approximately $1,200.00. Approximately $6,600.37 of this figure is interest. However the lender reserves the right to bid less than the total debt in order to preserve a possible deficiency.

Very truly yours,

I. Dyke Tatum

Received by: J Redmond

Date Received: 3-25-03

Enclosures Received: _____

Enclosures

HAND DELIVERED
3-25-03 P.M.

Exhibit "B"

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

MAR 2 8 2003

SMALL BUSINESS/SELF-EMPLOYED DIVISION

March 26, 2003

Tatum & Jones
Suite 200, Arena Place, 2001 Charlotte Avenue
Nashville, Tennessee 37203

Dear Mr. Tatum:

This is to acknowledge receipt of your correspondence dated March 20, 2003 regarding R. Gallegos Perez & A. Gallegos, 3333 Town Village, Antioch, Tennessee 37013, TIN 228-49-5307. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986. **NOTE: The Notice of Federal Tax Lien filed on 04-11-1997 in Book 10414, Page 268 is senior to the foreclosing instrument and will survive the sale.**

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 Services Group Manager

Enclosure