Davidson County DEEDTRS
Recvd: 01/30/04 09:46 5pgs
Fees:28.00 Taxes:298.04
20040130-0011578

Tennessee
Map: #95-10-78

Roger Sexton
1ST TRUST: #106673

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 28, 2000, and recorded in Register Instrument No. 200005030044349 in the Register's Office of Davidson County, Tennessee, Roger Sexton and wife, Melanie Sexton, conveyed to Jeanine B. Saylor, 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, the holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 200311240170280 in the Register's Office of said County; 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 January 13, 2004, at the outside the door of the Register of Deeds office located at 501 Broadway Suite 501, Gaylord Entertainment Center 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 1ST TRUST BANK FOR SAVINGS, a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of EIGHTY THOUSAND FIVE HUNDRED FIFTY 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 1ST TRUST BANK FOR SAVINGS 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 1ST TRUST BANK FOR SAVINGS, 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:

Land in Davidson County, Tennessee, Being Lot No. 118 on the plan of Elm Hill Acres, Section 2, as of record in Book 2331, Page 68, Register's Office for said County and State, to which plan reference is herein made for a more complete and accurate legal description.

Roger Sexton and wife, Melanie Sexton, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #200005030044348, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

Proper notice of this sale has been given to the Internal Revenue Service and to the State of Tennessee. This sale is made subject to the redemption rights of the Internal Revenue Service and 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 1ST TRUST BANK FOR SAVINGS, 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	12.00
Publication Expense	255.00
Attorney's Fees and Trustees Fees	550.00
Credit on Note	79,733.00
	$80,550.00

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 January 13, 2004 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On January 13, 2004 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 SHELBY TN MY COMM EXP. 11-14-04

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
509 Wanda Drive,
Nashville, Tennessee 37210

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

1ST TRUST BANK FOR SAVINGS
6655 POPLAR AVENUE #201
GERMANTOWN, TENNESSEE 38138

Mortgagee: None

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

HOLD FOR:→

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 80,550.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF
Jan 13 20 04
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-14-04

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

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

SMALL BUSINESS/SELF-EMPLOYED DIVISION

December 18, 2003

Law Offices of Arnold M. Weiss
208 Adams Avenue
Memphis, Tennessee 38103-1991

Dear Mr. Weiss:

This is to acknowledge receipt of your correspondence dated December 8, 2003 regarding Roger E. & Melanie L. Sexton, 509 Wanda Drive, Nashville, Tennessee 37210, TIN 62-1787817/403-78-0991. 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,

Gwannette Claybrook
Technical Services Acting Group Manager

Enclosure

REVENUE ENFORCEMENT DIVISION

PHIL BREDESEN
Governor

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

LOREN L. CHUMLEY
Commissioner

December 16, 2003

Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, TN 38103-1991

Re: Foreclosure Sale of Property Owned by: **Roger Sexton**

Entity Number: **002 403780991**

Dear Mr. Weiss:

This is in reference to your letter dated December 8, 2003 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 **January 13, 2004** is **$999.68**.

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,

Becky Tellas

Becky Tellas, Supervisor
Special Procedures Section
Revenue Enforcement Division

BT/rp

c: *file*

STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
EMPLOYMENT SECURITY DIVISION
Legal Office
Andrew Johnson Tower, 2nd Floor
710 James Robertson Parkway
Nashville, Tennessee 37243-0100
(615) 741-3170
(615) 532-7386 FAX

December 15, 2003

Mr. Arnold M. Weiss
Law Offices
208 Adams Avenue
Memphis, TN 38103-1991

RE: Property of Roger E. Sexton
TDLWD Acct. #494-185
TDLWD Lien #2-3282 (Davidson County)
Loan #106673
Notice of Substitute Trustee's Sale

Dear Mr. Weiss:

Your letter of December 8, 2003, is acknowledged, along with the attendant Notice of Substitute 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 $451.65.

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