FILE NO.: 560.0400404TN\jtw
LOAN NO.: 0006192212\CONV

Davidson County DEEDTRS
Recvd: 04/28/04 08:04 7pgs
Fees:38.00 Taxes:409.16
20040428-0047843

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Priority Trustee Services of TN, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 24, 2000, and recorded in the Register's Office of Davidson County, TN, at Instrument No. 200003290031681, ("Deed of Trust"), Larry C. Jones and Jackie F. Jones conveyed to Aaron D. Reeves, 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 Monument Street Funding, LLC; and

WHEREAS, **Monument Street Funding, LLC,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 20040209-0015134** in the Register's Office of Davidson County, TN; 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 TN and the terms and provisions of said Deed of Trust on 02/12/04, 02/19/04, 02/26/04, in THE NASHVILLE RECORD, by which advertisement the sale was held on March 25, 2004, at the At the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center in Nashville, Davidson County, TN, 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 20020924-, Page 0116134. 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, Higgins, Himmelberg & Piliponis, P.L.L.C., the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Monument Street Funding, LLC**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $ 110,584.30; 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 Monument Street Funding, LLC as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Priority Trustee Services of TN, L.L.C.,** as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Monument Street Funding, LLC,** its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows, to wit: Land in Davidson County, Tennessee, being Lot No. 161 on the Plan of Section Two, Larchwood, of record in Book 5200, Pages 57, 58 and 59, Register's Office for said County. Said Lot No. 161 fronts 85.02 feet on the Westerly margin of Noble Valley Drive and extends back 162.12 feet on the Northerly line and 158.21 feet on the Southerly line to a dead line in the rear, measuring 76.76 feet thereon. Being the same property conveyed to Larry C. Jones and wife, Jackie F. Jones by deed from Craig A. Olivares and wife, Robbin L. Olivares of record in Book 7467, Page 856, Register's Office for Davidson County, Tennessee. The address of the above described property is: 3129 Valley Drive, Nashville, TN 37217.

The last recorded Warranty Deed was filed of record at Instrument No.7467 in the Register's Office of Davidson County, TN.

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 **Monument Street Funding, LLC,** its successors and assigns forever, to whom the said, **Priority Trustee Services of TN, L.L.C.**, 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, **Priority Trustee Services of TN, L.L.C.,** Substitute Trustee, has hereunto set his hand, this 25th day of March, 2004.

Priority Trustee Services of TN, L.L.C.
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On this 25th day of March, 2004, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared , Dionne Simmons, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Priority Trustee Services of TN, L.L.C.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the limited liability company by himself or herself as such officer or member.

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

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 CLAYTON COUNTY

Notary Public

My Commission Expires: _____

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STATE OF GEORGIA
COUNTY OF DEKALB

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 $ 110,584.30, 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 25th DAY OF MARCH 2004.

GERMAINE DUNCAN NOTARY PUBLIC GEORGIA EXPIRES SEPT. 21, 2007 CLAYTON COUNTY

Notary Public

My Commission Expires: _____

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MSP No.: 560.0400404TN (Jones)
Lender Loan No.: 0006192212
Property Address: 3129 Noble Valley Drive, Nashville, TN 37217
Tax Parcel ID No.: 108-08;5.00

Mail Tax Notices To and Property Owner:
Fidelity National Foreclosure & Bankruptcy Solutions, Inc-NI
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

EXHIBIT 'A'

February 6, 2004

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
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: **560.0400404TN**
Lender Loan No.: **0006192212**
Name Per Client: **Larry C. Jones and Jackie F. Jones**
Property Address: **3129 Noble Valley Drive**
Nashville, TN 37217

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-NI has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on March 11, 2004. 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 Book 20020924-, Page 0116134.

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: Larry C. Jones and Jackie F. Jones SSN 412-70-4897. 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 $114,592.74. Interest through the sale date is approximately $5,911.91. 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.

Jennifer T. Wilson

Enclosures
cc: Fidelity National Foreclosure & Bankruptcy Solutions, Inc-NI

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 March 24, 2000, by Larry C. Jones and Jackie F. Jones to Aaron D. Reeves, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Instrument No. 200003290031681, ("Deed of Trust"); and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to Monument Street Funding, LLC; and

WHEREAS, Monument Street Funding, LLC, the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Priority Trustee Services of TN, L.L.C., 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, Priority Trustee Services of TN, L.L.C., Substitute Trustee, or his duly appointed attorneys or agents, by virtue of the power and authority vested in him, will on **Thursday**, **March 11, 2004**, commencing at **12:00 PM** at the At the corner of Fifth and Broadway at the Main Entrance to the Gaylord Entertainment Center 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:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows, to wit: Land in Davidson County, Tennessee, being Lot No. 161 on the Plan of Section Two, Larchwood, of record in Book 5200, Pages 57, 58 and 59, Register's Office for said County. Said Lot No. 161 fronts 85.02 feet on the Westerly margin of Noble Valley Drive and extends back 162.12 feet on the Northerly line and 158.21 feet on the Southerly line to a dead line in the rear, measuring 76.76 feet thereon. Being the same property conveyed to Larry C. Jones and wife, Jackie F. Jones by deed from Craig A. Olivares and wife, Robbin L. Olivares of record in Book 7467, Page 856, Register's Office for Davidson County, Tennessee. The address of the above described property is: 3129 Valley Drive, Nashville, TN 37217.

PROPERTY ADDRESS: 3129 Noble Valley Drive, Nashville, TN 37217

CURRENT OWNER(S): Larry C. Jones and Jackie F. Jones

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 20020924-, Page 0116134. Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

SUBORDINATE LIENHOLDERS: First Union Home Equity Bank, N.A.

OTHER INTERESTED PARTIES: N/A

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.

Priority Trustee Services of TN, L.L.C., Substitute Trustee
c/o Jennifer T. Wilson
Morris, Schneider & Prior, L.L.C.
3300 N.E. Expressway, Building 8
Atlanta, GA 30341
(770) 234-9181 (ext. 1273)
MSP File No.: 560.0400404TN
Insertion Dates: 02/12/04, 02/19/04, 02/26/04

JD

DS

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

SMALL BUSINESS/SELF-EMPLOYED DIVISION

EXHIBIT "B"

February 12, 2004

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

Dear Ms. Wilson:

This is to acknowledge receipt of your correspondence dated February 6, 2004 regarding Larry C. & Jackie F. Jones, 3129 Noble Valley Drive, Nashville, Tennessee 37217, TIN [redacted]-4897. 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 Services Group Manager

Enclosure