Davidson County DEEDTRS
Recvd: 07/26/04 10:31 14pgs
Fees:73.00 Taxes:814.00
20040726-0088900

This Instrument Prepared By:
BONE MCALLESTER NORTON PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219

Address New Owner(s):	**Send Tax Bills To:**	**Map & Parcel Nos.:**
Regions Bank **500 Corporate Centre Dr.** **Franklin, TN 37067** **Attn: Art Willard**	**New Owner**	**033-10-0-018.00**

TRUSTEE'S DEED

WHEREAS, default was made in the terms, conditions and payments provided for and made in a Deed of Trust dated April 17, 2001, executed by Steven Harris and Teresa Gail Harris, of record in Instrument No. 20010521-0052149, and modified in Instrument No. 20020109-0003139, Instrument No. 200305130064436, and Instrument No. 200309180137754, Register's Office for Davidson County, Tennessee; and

WHEREAS, Regions Bank, the owner and holder of the indebtedness secured by said Deed of Trust of record at Instrument No. 20010521-0052149, and modified in Instrument No. 20020109-0003139, Instrument No. 200305130064436, and Instrument No. 200309180137754, Register's Office for Davidson County, Tennessee, replaced said Trustee by naming Sam J. McAllester, III, and J. Evan Gower and Arthur M. Willard as Substitute Trustees by an instrument of record at Instrument No. 20040602-0064439, Register's Office for Davidson County, Tennessee, and authorized any one of them to act alone with the powers given the Trustee in said Deed of Trust; and

WHEREAS, Sam J. McAllester, III, Substitute Trustee, caused said real property to be advertised in accordance with the provisions of said Deed of Trust, advertising that said property would be sold at 11:00 o'clock A.M., prevailing time on Friday, July 9,

2004, at the Office of the Davidson County Register of Deeds at the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee, to be knocked off and sold to the highest, best and last bidder for cash, and free from the equity of redemption, homestead, dower, and all other exemptions as provided in said Deed of Trust; but subject to any and all mortgages, liens, claims, and unpaid taxes which may be a lien against said property; and

WHEREAS, the J. Evan Gower, Substitute Trustee personally appeared and offered said property for sale at public outcry and the highest, best and last bid received was the sum of Two Hundred Twenty Thousand and 00/100 Dollars ($220,000.00) by Regions Bank (hereinafter referred to as the "Grantee") and said property was knocked off and sold to the Grantee.

NOW, THEREFORE, in consideration of the premises and sum of Two Hundred Twenty Thousand and 00/100 Dollars ($220,000.00) cash in hand paid by the Grantee, J. Evan Gower, Substitute Trustee, has this day bargained and sold and, by the premises, does transfer and convey to Grantee, its/their heirs and assigns, a certain tract or parcel of land situated in the 2nd Civil District of Davidson County, Tennessee, and described as follows, to wit:

> Being Lot No. 16, Ridgemont Estates, Section One, which plan appears of record in Book 5050, page 73, Register's Office for said County, to which plan reference is made for a particular description of said lot.
>
> Being the same property conveyed to Steven Harris and wife, Teresa Gail Harris by deed from John Allen, Jr. and wife, Connie C. Allen of record in Book 6672, page 823, Register's Office of Davidson County, Tennessee.

The street address of the property is believed to be 408 Northwind Court, Nashville, Davidson County, Tennessee, but such address is not part of the legal

description of the property. In the event of any discrepancy, the legal description herein shall control.

A Notice of State Tax Lien has been filed by the Tennessee Department of Revenue against G & S Marketing, of record in Instrument No. 20030712-0096956. Timely notice has been given by the Substitute Trustee to the Department of Revenue, State of Tennessee, pursuant to T.C.A. § 67-1-1433(b)(1). To the extent this Notice of State Tax Lien may attach to the subject property, the sale of this property will be subject to the right of the Department of Revenue, State of Tennessee, to redeem said property under the provisions of T.C.A. § 67-1-1433(c).

This property is sold AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS TO BE SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the Grantee, its/their heirs, successors, and assigns forever.

And the Substitute Trustee covenants with the said Grantee that he is lawfully seized and possessed of said real property as Substitute Trustee only and, by the terms of the above-mentioned Deed of Trust, has a good right to sell and convey the same and that same is unencumbered except for any and all mortgages, liens, claims, and any and all unpaid taxes that may be a lien against said real estate.

The Substitute Trustee further covenants and binds himself/his successors and assigns, to warrant and forever defend the title to said real estate to the Grantee, its/their heirs and assigns, against the lawful claims of any persons claiming by or through him as Substitute Trustee, but no further or otherwise; it being the intention of the Substitute Trustee only to convey to Grantee no greater title in the subject real estate than he received as Substitute Trustee and that, as Substitute Trustee, he has the right to sell and convey.

This sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any prior encumbrances that may exist against the property. This sale is also subject to any matter that an accurate survey of the premises might disclose.

Witness my hand this 9th day of July, 2004.

J. Evan Gower, Substitute Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Kimberley R. Mankin, a Notary Public of this county, J. Evan Gower, Substitute Trustee, the within named bargainor, 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, at office, this 9th day of July, 2004.

Kimberley R. Mankin
NOTARY PUBLIC

My Commission Expires: 9-30-06

KIMBERLEY R. MANKIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $220,000.00.

AFFIANT

Subscribed and sworn before me on this 9th day of July, 2004.

Kimberley R. Mankin
NOTARY PUBLIC

My Commission Expires: 9-30-06

KIMBERLEY R. MANKIN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

BONE MCALLESTER NORTON PLLC
www.bonelaw.com

June 10, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Loren L. Chumley, Commissioner
State of Tennessee Department of Revenue
1200 Andrew Jackson Building
Nashville, Tennessee 37242

Re: Notice of Nonjudicial Foreclosure on Behalf of Regions Bank ("Lender)
Name of Borrower: G & S Marketing, a Tennessee general partnership composed of Brones Steven Harris and Teresa Gail Harris
Name of Owner of Property: Steven Harris and wife, Teresa Gail Harris (Parcel I)
Name of Owner of Property: Brones S. Harris and wife, Teresa G. Harris (Parcel II)
Name of Taxpayer listed on Notice of Lien: G & S Marketing
Address of Property: 408 Northwind Court, Nashville, Davidson County, Tennessee (Parcel I)
Address of Property: 555 North Dupont Avenue, Unit C-207, Nashville, Davidson County, Tennessee (Parcel II)

Dear Ms. Chumley:

This letter is notice to the State of Tennessee, Department of Revenue of the proposed nonjudicial foreclosure sale at 11:00 a.m. at the Office of the Davidson County Register of Deeds at the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee on the 9th day of July, 2004 by and on behalf of Lender, the owner and holder of a Promissory Note dated April 17, 2001, in the original principal amount of $450,000.00, as amended, which is secured by a Deed of Trust dated April 17, 2001, executed by Steven Harris and Teresa Gail Harris to Richard G. Rhodes, Sr., Trustee, and duly recorded in Instrument No. 200105210052149, and modified in Instrument No. 200201090003139, Instrument No. 200305130064436, and Instrument No. 200309180137754, Register's Office for Davidson County, Tennessee, on certain real property located at 408 Northwind Court, Nashville, Davidson County, Tennessee and certain real property at 555 North Dupont Avenue, Unit C-207, Nashville, Davidson County, Tennessee (the "Deed of Trust").

Arguably your notice of lien in the name of G & S Marketing filed in Davidson County, Tennessee is not applicable to the subject property owned by Steven Harris and wife Teresa Gail Harris (Parcel I) and the subject property owned by Brones S. Harris and wife, Teresa G. Harris (Parcel II); however, out an abundance of precaution, we are providing you this notice.

511 Union Street - Suite 1600 • Nashville City Center • Nashville, Tennessee 37219 • Ph: 615.238.6300 • Fx: 615.238.6301

This letter is a request on behalf of Lender for the consent of the State of Tennessee Department of Revenue to the sale of the real properties and for discharge of said properties from the liens of the State of Tennessee and/or the sale of said properties free and clear of such liens. This letter is also a request on behalf of Lender for the release of the right of redemption of the State of Tennessee against said properties. In support of the above requests, I hereby submit the following information:

1) I am attorney for Lender. Lender is the owner and holder of a Promissory Note ("Note") dated April 17, 2001, in the original principal amount of $450,000.00, as amended, executed by G & S Marketing (the "Borrower"). Borrower has defaulted on said Note and Lender has declared the default and accelerated the principal balance. As of June 9, 2004, the principal and accrued interest balance owing, past due and unpaid was $415,261.42. Pursuant to the terms of the Note and Deed of Trust, Lender is also entitled to its attorney's fees and expenses, including foreclosure costs, as part of the indebtedness secured by said Deed of Trust.

2) A Notice of State Tax Lien was filed by the State of Tennessee Department of Revenue Tax Enforcement Division against G & S Marketing, dated June 27, 2003, filed for record on July 12, 2003, in Instrument No. 20030712-0096956, Register's Office for Davidson County, Tennessee. A copy of said tax lien is attached hereto for your information.

3) Steven Harris and wife Teresa Gail Harris purchased said real property from John Allen Jr. and wife, Connie C. Allen by deed dated September 28, 1985 of record in Deed Book 6672, page 823, Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid of the value of the property, whichever is greater, was stated to be $18,000.00. (Parcel I)

4) Brones S. Harris and wife, Teresa G. Harris purchased said real property from Ginger Doraine Willis McLaughlin and Teresa Gail Haris for the Estate of Opal R. Cook by Deed dated January 28, 1994 of record in Deed Book 9236, page 804 Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid or the value of the property, whichever is greater, was stated to be $7,500.00. (Parcel II)

5) To the best of my knowledge and in reliance upon the title search by Gregory Vick & Associates, which is dated May 12, 2004, title to said property as of 8:00 a.m., May 11, 2004, is as follows:

   a) Said property is presently vested in Steven Harris and wife Teresa Gail Harris by deed from John Allen Jr. and wife, Connie C. Allen dated September 28, 1985 of record in Deed Book 6672, page 823, Register's Office for Davidson County, Tennessee. (Parcel I)

   b) Said property is presently vested in Brones S. Harris and wife, Teresa G. Harris by deed from Ginger Doraine Willis McLaughlin and Teresa Gail Harris for the Estate of Opal R. Cook dated January 28, 1994 of record in Deed Book 9236, page 804

Register's Office for Davidson County, Tennessee. According to the Affidavit of Value, the actual consideration paid or the value of the property, whichever is greater, was stated to be $7,500.00. (Parcel II).

c) 2003 County real property taxes in the name of Steven Harris, et ux, are a lien against said property and are now past due and delinquent in the base amount of $1,745.28 plus penalty, interest and costs. (Parcel I)

d) 2004 County real property taxes are a lien against said property but are not yet due and payable in the base amount of $1,745.28 (Parcel I).

e) 2002 County real property taxes in the name of Brones S. Harris and Teresa G. Harris are a lien against said property and are now past due and delinquent in the base amount of $369.60 plus penalty, interest and costs.

f) 2003 County real property taxes in the name of Brones S. Harris and Teresa G. Harris, are a lien against said property and are now past due and delinquent in the base amount of $369.60 plus penalty, interest and costs.

g) 2004 County real property taxes are a lien against said property but are not yet due and payable in the base amount of $369.60.

h) There is of record in Book 10067, page 594, Register's Office for Davidson County, Tennessee, a Deed of Trust dated March 11, 1996 wherein said property is conveyed to David Major, Trustee, for the purpose of securing a Note in the original principal sum of $177,500.00, payable to First Bank & Trust. (Parcel I)

i) There is of record in Instrument No. 200105210052149, and modified in Instrument No. 200201090003139, Instrument No. 200305130064436, and Instrument No. 200309180137754, Register's Office for Davidson County, Tennessee, a Deed of Trust dated April 17, 2001 wherein said property is conveyed to Richard G. Rhodes, Trustee, for the purpose of securing a Note in the original principal sum of $450,000.00, payable to Regions Bank. (Parcels I and II)

j) There is of record in Instrument No. 200105210052150, said Register's Office, an Assignment of Rents dated August 21, 2001 to Regions Bank. (Parcels I and II)

k) A Notice of State Tax Lien filed by the State of Tennessee Department of Revenue Tax Enforcement Division in the name of G & S Marketing, filed for record July 12, 2003, in Instrument No. 20030712-0096596, Register's Office for Davidson County, Tennessee.

20030712-0096596, Register's Office for Davidson County, Tennessee.

6) Lender has an appraisal dated March 29, 2001 which estimates the value of the real property to be $275,000.00 (Parcel I).

7) Lender has an appraisal dated March 28, 2001 which estimates the value of the real property to be $40,000.00 (Parcel II)

8) For your information, I am enclosing a copy of the Foreclosure Sale Notice which I have prepared and issued on behalf of Lender in my capacity as Substitute Trustee, setting the foreclosure sale for the 9th day of July, 2004, at 11:00 a.m. at the entrance to the Office of the Davidson County Register of Deeds at the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee.

This notice and application for consent to sale is submitted in duplicate, and it is requested that a copy of this notice be acknowledged and returned to my office, indicating the date and time of your receipt.

The facts stated in this letter are true to the best of my knowledge, information and belief.

Sincerely,

Sam J. McAllester III
Attorney for Regions Bank

SJMc/krm
Enclosures

This Instrument Prepared By:
Bone McAllester Norton PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219

FORECLOSURE SALE NOTICE

WHEREAS, Steven Harris and Teresa Gail Harris, by a Deed of Trust dated April 17, 2001, of record in Instrument No. 20010521-0052149, and modified in Instrument No. 20020109-0003139, Instrument No. 200305130064436, and Instrument No. 200309180137754, Register's Office for Davidson County, Tennessee, conveyed to Richard G. Rhodes, Sr., Trustee, the hereinafter described real property to secure the payment of a promissory note, etc., as described in said Deed of Trust; and

WHEREAS, Richard G. Rhodes, Sr. is unable to act as Trustee under said Deed of Trust and Sam J. McAllester, III, J. Evan Gower, and Arthur M. Willard have been appointed Substitute Trustees by Regions Bank, the owner and holder of said note, etc., by an instrument of record in Instrument No. 20040602-0064439, Register's Office for Davidson County, Tennessee, with authority for any one of them to act alone with the powers given the Trustee; and

WHEREAS, default in the payment of the note secured by said Deed of Trust has been made; and

WHEREAS, the owner and holder of said note has demanded that the real property be advertised and sold in satisfaction of said debt and the cost of the foreclosure, in accordance with the terms and provisions of said note and Deed of Trust.

NOW, THEREFORE, notice is hereby given that I, Sam J. McAllester, III, Substitute Trustee, pursuant to the power, duty and authority vested in and imposed upon me in said Deed of Trust, will on

Friday, July 9, 2004

at 11:00 a.m., prevailing time, at the entrance to the Office of the Davidson County Register of Deeds at the Gaylord Entertainment Center, 501 Broadway, Nashville, Davidson County, Tennessee, offer for sale to the highest and best bidder for cash and free from all rights and equity of redemption, statutory or otherwise, homestead, dower and all other rights and exemptions of every kind as provided in said Deed of Trust, certain real property situated in Davidson County, Tennessee, described as follows:

Tract One:

Situated in the 2nd Civil District of Davidson County, Tennessee, being described as follows, to-wit:

Being Lot No. 16, Ridgemont Estates, Section One, which plan appears of record in Book 5050, page 73, Register's Office for said County, to which plan reference is made for a particular description of said lot.

Being the same property conveyed to Steven Harris and wife, Teresa Gail Harris by deed from John Allen, Jr. and wife, Connie C. Allen of record in Book 6672, page 823, Register's Office of Davidson County, Tennessee.

The street address of the property is believed to be 408 Northwind Court, Nashville, Davidson County, Tennessee, but such address is not part of the legal description of the property. In the event of any discrepancy, the legal description herein shall control.

Tract Two:

Situated in Davidson County, Tennessee, described as follows, to-wit:

Being Unit No. C-207 (59), on the plan of Madison Park Condominiums, Building "C", Horizontal Property Regime, of record in Plat Book 5200, pages 179-182, 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 Brones S. Harris and wife, Teresa G. Harris, by deed from Ginger Doraine Willis McLaughlin and Teresa Gail Harris, for the Estate of Opal R. Cook of record in Book 9236 page 804, Register's Office of Davidson County, Tennessee.

The street address of the property is believed to be 555 North Dupont Avenue, Unit C-207 (59), Nashville, Davidson County, Tennessee, but such address is not part of the legal description of the property. In the event of any discrepancy, the legal description herein shall control.

The properties will be sold AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTIES ARE TO BE SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

Other interested parties: First Bank and Trust (Tract I only); United States Small Business Administration (Tract I); State of Tennessee Department of Revenue (Tracts I and II); Madison Park (A Condominium) (Tract II).

The right is reserved to adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said adjournment on the day and time and place of sale set forth above and to sell to the second highest bidder in the event the highest bidder does not comply with the terms of the sale.

A Notice of State Tax Lien has been filed by the Tennessee Department of Revenue against G & S Marketing, of record in Instrument No. 20030712-0096956. Timely notice has been given by the Substitute Trustee to the Department of Revenue, State of Tennessee, pursuant to T.C.A. § 67-1-1433(b)(1). To the extent this Notice of State Tax Lien may attach to the subject property, the sale of this property will be subject to the right of the Department of Revenue, State of Tennessee, to redeem said property under the provisions of T.C.A. § 67-1-1433(c).

Substitute Trustee will make no covenant of seisin or warranty of title, express or implied, and will sell and convey the subject real property by Trustee's Quitclaim Deed as Substitute Trustee only.

THIS sale is subject to all matters shown on any applicable recorded Plat or Plan; any unpaid taxes which exist as a lien against said property; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal; and any and all prior Deeds of Trust, liens or encumbrances, defects, adverse claims and other matters that may take priority over the Deed of Trust upon which this foreclosure sale is conducted. This sale is also subject to any matter that an accurate survey of the premises might disclose.

THIS 10th day of June, 2004.

Sam J. McAllester, III, Substitute Trustee

BONE MCALLESTER NORTON PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219
(615) 238-6320

CERTIFICATE OF SERVICE

I certify that on June 10th, 2005, a true copy of the foregoing Foreclosure Sale Notice has been placed in the United States mail, both by regular mail and by certified mail, return receipt requested, to:

Steven Harris
408 Northwind Court
Nashville, Tennessee 37072

Teresa Gail Harris
408 Northwind Court
Nashville, Tennessee 37072

Roy C. DeSha, Jr.
Glen C. Watson, III
1106 Eighteenth Avenue South
Nashville, Tennessee 37212

First Bank & Trust
1691 North Mt. Juliet Road
Mt. Juliet, Tennessee 37122

David Major, Trustee
P.O. Box 355
Mt. Juliet, Tennessee 37122

U.S. Small Business Administration
Tennessee District Office
50 Vantage Way, Suite 201
Nashville, TN 37228

Tennessee Department of Revenue
Tax Enforcement Division
Andrew Jackson Building, 4th Floor
500 Deaderick Street
Nashville, Tennessee 37242-1099

Madison Park (A Condominium)
Gary S. Rubenstein
Schulman, LeRoy & Bennett, P.C.
501 Union Street, Suite 701
P.O. Box 190676
Nashville, TN 37219-0676

Sam J. McAllester, III

REVENUE ENFORCEMENT DIVISION

PHIL BREDESEN
Governor

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

LOREN L. CHUMLEY
Commissioner

June 23, 2004

Sam J. McAllester, III
Bone, McAllester & Norton, PLLC
511 Union Street, Suite 1600
Nashville City Center
Nashville, TN 37219

Re: Foreclosure Sale of Property Owned by: **Steven & Teresa Gail Harris / G & S Marketing**
Entity Number: **004 415886904 & 004 411021900**

Dear Mr. McAllester:

This is in reference to your letter dated June 10, 2004 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. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **July 9, 2004** is **$143,130.63**.

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (closing statement), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Becky Tellas, Supervisor
Special Procedures Section
Revenue Enforcement Division

BT/rp