RE-RECORD

Davidson County DEEDTRS
Recvd: 03/24/05 08:46 3 pgs
Fees:17.00 Taxes:0.00
20050324-0031927

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

Davidson County DEEDTRS
Recvd: 03/14/05 14:01 2 pg
Fees:12.00 Taxes:0.00
[redacted]
20050314-0027890

Tennessee FHA

This deed is being sent to re-record to add the adequate notice.

Name: Peter V. Fossel, and wife, Janet E. Fossel
S&K#: 04-1597
FHA #: 483-282989
Loan#: 2524703/685

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 5, 2000, recorded in Instrument Number 20000710006822O Register's Office of Davidson County, Tennessee, Peter V. Fossel and Janet E. Fossel, husband and wife conveyed to William D. Castelman, 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 Number 20041230-0154633, in the 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 26, 2005 at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 A.M.; 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 Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage Inc., whose address is Wells Fargo Bank, NA, 3476 Stateview Blvd, MAC# X7801-013 (FC), Fort Mill, South Carolina 29715, at and for the sum of $206,333.72, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage Inc. has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., 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 Wells Fargo Bank, N.A. successor by merger to Wells Fargo Home Mortgage Inc., 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 Housing and Urban Development, Washington, D.C., his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Goodlettsville, County of Davidson, State of Tennessee, to-wit:

Described property located in the 1st Concilmanic of Davidson County, Tennessee, described as Tract 1 according to survey dated November 18, 1996 and revised on March 4, 1999 by Tommy E. Walker, Registered Land surveyor, License Number 1465, as follows, to wit:

Beginning at an iron pin in the westerly margin of Hitt Lane, a common corner to the property conveyed to Freddie R. Hunter, et ux, of record in Book 7220, Page 721, Register's Office for Davidson County, Tennessee; thence with said margin of said Hitt Lane on a curve having a radius of 610.00 feet, a tangent of 255.66 feet, a delta of 45 degrees 28 minutes 40 seconds, a chord of 471.57 feet and a chord bearing of south 12 degrees 14 minutes 39 seconds west for a length of 484.18 feet to an iron pin; thence leaving Hitt Lane, south 77 degrees 27 minutes 50 seconds west 141.62 feet to an iron pin; thence south 79 degrees 27 minutes 18 seconds west 142.40 feet to an iron pin; thence south 54 degrees 03 minutes 59 seconds west 136.99 feet to an iron pin; thence south 27 degrees 45 minutes 27 seconds west 211.88 feet to an iron pin; thence south 31 degrees 28 minutes 35 seconds west 101.62 feet to an iron pin; thence north 41 degrees 54 minutes 57 seconds west 300.35 feet to an iron pin in the line of Hunter; thence with the line of Hunter, north 64 degrees 38 minutes 27 seconds east 99.98 feet to an iron pin; thence north 43 degrees 57 minutes 00 seconds east 399.74 feet to an iron pin; thence north 52 degrees 55 minutes 00 seconds east 472.00 feet to an iron pin; thence north 71 degrees 00 minutes 00 seconds east 102.84 feet to an iron pin in the westerly margin of Hitt Lane, marking the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument Number 200007100068220 Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument Number 200007100068220 Register's Office of Davidson County, Tennessee.

The last warranty deed of record is Warranty Deed, recorded in Instrument Number 200007100068219, Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements.

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 and letter of compliance.

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 Housing and Urban Development, Washington, D.C., 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 him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Denise Griffin, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Denise Griffin
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 21st day of Jan, 2005, 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 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.

JENNIFER SINCLAIR NOTARY PUBLIC LARGE SHELBY CO., TN

12/20/05
My commission expires:

My Comm. Exp. 12-20-05

Notary Public

NO TAX/GOVERNMENTAL AGENCY

PROPERTY ADDRESS: 1015 Hitt Lane, Goodlettsville, TN 37072

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
c/o Pyramid Real Estate Services
616 Marriott Drive, Suite 300
Nashville, TN 37214

ATTENTION: Single Family Property Disposition Branch

S & K File #04-1597
Map & Parcel - 025000099.00

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6750 Lenox Center Court, Suite 202
Memphis, TN 38115
901-767-5566
Fax: 901-761-5690

04-1597
1/26

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

RECEIVED
JAN 10 2005
BY:

SMALL BUSINESS/SELF-EMPLOYED DIVISION

January 3, 2005

Shapiro & Kirsch, LLP
6750 Lenox Center Court, Suite 202
Memphis, Tennessee 38115

Dear Mr. Kirsch:

This is to acknowledge receipt of your correspondence dated December 16, 2004 regarding Peter V. Fossel, 1015 Hitt Lane, Goodlettsville, Tennessee 37072, TIN 116-34-9865. 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,

J. Kyle Smith
Acting Technical Services Group Manager

Enclosure