FILE NO.: 183.0403860TN\ALK
LOAN NO.: 0050294660\FHA

Davidson County DEEDTRS
Recvd: 04/19/06 13:45 2 pgs
Fees:12.00 Taxes:0.00
20060419-0044877

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Priority Trustee Services of TN, L.L.C.
1587 N.E. Expressway
Atlanta, GA 30329

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 26, 1995 and recorded in the Register's Office of Davidson County, TN, at Book 9584, Page 914, ("Deed of Trust")James A. Smith and Betty D. Smith conveyed to David J. Waynick, 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 Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, **Mortgage Electronic Registration Systems, Inc.,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Book 2005090104792** 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 February 9, 16 and 23, 2006, in THE NASHVILLE RECORD, by which advertisement the sale was held on March 02, 2006, 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, 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 **Mortgage Electronic Registration Systems, Inc.**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $106,733.74; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to the Secretary of Housing and Urban Development, Washington, D.C., his/her successors and assigns; 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 Mortgage Electronic Registration Systems, Inc. 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 **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Land in Davidson County, Tennessee, being Lot No. 398 on the Plan of Edge-O-Lake Estates, Section 6, as of record in Book 3700, Page 16, said Register's Office. Said Lot No. 398 fronts

89.01 feet on the Northerly side of Edge-O-Lake Drive and runs back between lines 195.68 feet on the Easterly side and 127.25 feet on the Westerly side to a line in the rear on which it measures 92.69 feet thereon. Being the same property conveyed to James A. Smith and wife, Betty D. Smith by deed from the Secretary of Housing and Urban Development and recorded simultaneously herewith.

The last recorded Warranty Deed was filed of record at Book 9584, Page 910 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 **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assignsforever, 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 02nd day of March, 2006.

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

STATE OF GEORGIA

COUNTY OF DEKALB

On this 02nd day of March, 2006, 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 CLAYTON COUNTY GEORGIA EXPIRES SEPT 21, 2007

Notary Public

My Commission Expires: _____

NO TAX – GOVERNMENTAL AGENCY

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MSP No.: 183.0403860TN (Smith)
Lender Loan No.: 0050294660
Property Address: 2538 Edge-O-Lake Drive, Nashville, TN 37217
Tax Parcel ID No.: 149-03; 48.00

Mail Tax Notices To and Property Owner:

Secretary of Housing and Urban Development
Attention: Single-Family Property Disposition Branch
Cumberland Bend Office Center
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803