Tennessee
Map: #51-11-81

James Smith
H.C. #0438492191

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by DEED OF TRUST DATED SEPTEMBER 15, 2004, AND RECORDED IN INSTRUMENT: #20040922-0114165, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, JAMES F. SMITH, JR. AND MARIAN MAXWELL, HUSBAND AND WIFE, CONVEYED TO HENRY R. ALLISON, III, 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 REGISTER'S INSTRUMENT: #20060109-0003042, 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 August 29, 2006, at the outside 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 U.S. BANK, N.A., AS TRUSTEE, a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of ONE HUNDRED FORTY ONE THOUSAND NINE 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 U.S. BANK, N.A., AS TRUSTEE of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, VALERIE ANN SPICER, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said U.S. BANK, N.A., AS TRUSTEE, its successors and assigns in fee simple forever, the property above mentioned and now further described as being in MADISON, County of Davidson, State of Tennessee, to-wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT: #8, ON THE MAP OF OAKLAND ACRES, SECTION (11) ELEVEN OF RECORD IN PLAN BOOK: #3700, PAGE: #26, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE TO WHICH REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

JAMES F. SMITH, JR. AND WIFE, MARIAN MAXWELL, THEIR HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20040922-0114164, Register's Office of Davidson County, Tennessee.

Davidson County DEEDTRS
Recvd: 09/11/06 10:17 2 pgs
Fees:13.00 Taxes:525.22



20060911-0111909

Subject to any unpaid taxes.

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 U.S. BANK, N.A., AS TRUSTEE, with full power in trustee to sell, mortgage, lease, convey, or otherwise dispose of said property, any purchaser, lessee or encumbrancer being hereby expressly relieved of the necessity of looking to the application of the proceeds of any such sale, lease, mortgage or other disposition, and unto the successors and assigns of the said trustee in fee simple forever, to whom the said VALERIE ANN SPICER, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under her, 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	265.02
ATTORNEY'S FEES AND TRUSTEES FEES	550.00
CREDIT ON NOTE	141,122.98
	$141,950.00

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 VALERIE ANN SPICER, Substitute Trustee, has on August 29, 2006 hereunto set her hand and seal.

VALERIE ANN SPICER, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On August 29, 2006 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared VALERIE ANN SPICER 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 her free act and deed.

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

NOTARY PUBLIC

My Commission Expires:

SHARON HOGAN STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

12-9-09

STATE TAX $
CLERK'S FEE $

TOTAL $

PROPERTY ADDRESS
1509 SAUNDERS AVENUE
MADISON, TENNESSEE 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. BANK, N.A., AS TRUSTEE
C/O HOMECOMINGS FINANCIAL NETWORK
C/O GMAC-RFC, ATTN: REFERRAL TEAM
ONE MERIDIAN CROSSING, SUITE 100 03-03-10
RICHFIELD, MN 55423

MORTGAGEE: NONE

THIS INSTRUMENT PREPARED BY:
WEISS SPICER, PLLC

RETURN TO:→

ATTORNEYS AT LAW
208 ADAMS AVENUE
MEMPHIS, TENNESSEE 38103
(901) 526-8296

SHARON HOGAN STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

12-9-09

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $141,950.00
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE DAY OF
August 29, 20 06
NOTARY PUBLIC
MY COMMISSION EXPIRES