PREPARED BY AND RETURN TO:
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Davidson County DEEDTRS
Recvd: 09/14/06 10:57 2 pg
Fees:13.00 Taxes:273.80
20060914-0114019

Name: Howard Anthony Messer, and Sherry Jo Messer, husband and wife
S&K#: 06-3400

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 27, 2005, recorded in Instrument number 20051114-0137397 in the Register's Office of Davidson County, Tennessee, Howard Anthony Messer and Sherry Jo Messer, husband and wife, conveyed to Charles Boner, 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 20060828-0105801, 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 September 5, 2006, at the Davidson County Courthouse in Nashville, Tennessee, at 12:00 PM; 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 Morgan Stanley Mortgage Capital, Inc., whose address is AMERICA'S SERVICING COMPANY, 3476 Stateview Blvd., MAC# X7801-013, Fort Mill, South Carolina 29715 at and for the sum of $74,000.00, that being the highest and best bid offered; 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 Morgan Stanley Mortgage Capital, 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 Morgan Stanley Mortgage Capital, Inc., its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 73 on the plan of Maplewood Heights Subdivision, as of record in Book 547, Pages 77 and 78, Register's Office for said County.

Said Lot Number 73 fronts 100 feet on the westerly side of Saunders Avenue and runs back between parallel lines 300 feet to a dead line.

This legal description is identical with that in Deed of Trust recorded in Instrument number 20051114-0137397 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record Instrument number 20051114-0137397 Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Book 8927, Page 378 & Instrument Number 20051114-0137396, in the Register's Office for Davidson County, Tennessee.

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

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 Morgan Stanley Mortgage Capital, Inc., its 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 5 day of September, 2006, 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.

6/29/2010
My commission expires:

Notary Public

CLAY SCHNADELBACH
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. JUNE 29, 2010

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $74,000.00 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 the date written above.

6/29/2010
My commission expires:

Notary Public

CLAY SCHNADELBACH
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. JUNE 29, 2010

PROPERTY ADDRESS: 3840 Saunders Avenue, Nashville, TN 37216

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Morgan Stanley Mortgage Capital, Inc.
3476 Stateview Blvd.
MAC# X7801-013
Fort Mill, South Carolina 29715

S & K #:06-3400
Map & Parcel – 061100113.00