PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
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Davidson County DEEDTRS
Recvd: 03/20/07 11:11 2 pgs
Fees:13.00 Taxes:319.52
20070320-0033726

Name: Rosemary Curtis, a married woman
S&K#: 07-20254

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 17, 2006, recorded in Instrument number 20060323-0033227 in the Register's Office of Davidson County, Tennessee, Rosemary Curtis, conveyed to Smith Sholar Associates, 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 # 20070216-0019772, 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 March 6, 2007, 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 PMSR MSAC 2006-HE45, whose address is AMERICA'S SERVICING COMPANY, 3476 Stateview Blvd., MAC# X7801-013, Fort Mill, South Carolina 29715 at and for the sum of $86,357.45, 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 PMSR MSAC 2006-HE5, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP., as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Morgan PMSR MSAC 2006-HE5, 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:

Described property located in the Eleventh (11th) Civil District of Davidson County, Tennessee, to wit:

Lot Number 79 on the Map of Due West Valley Acres, not of record, but described as follows:

BEGINNING on the southerly margin of Due West Avenue, at the common corner of Lot Numbers 79 and 80; thence with the line between said Lot Numbers 79 and 80, southerly 500 feet to a point and a dead line; thence with the same and westerly 100 feet to a point; thence northerly 500 feet to the southerly margin of Due West Avenue; thence with said margin easterly 100 feet to the beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument number 20060323-0033227 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 20060323-0033227 Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20060323-0033226, 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 PMSR MSAC 2006-HE5, its successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP., 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 Shapiro & Kirsch, LLP., Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP.

Denise D. Griffin, An Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 6 day of March, 2007, before me, a Notary Public, in and for said State and County, personally appeared Denise D. Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be an Authorized Agent of Shapiro & Kirsch, L.L.P. the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

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

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

6/29/2010
My commission expires:

Clay Schnadelbach
Notary Public

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 $86,357.45 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.

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

6/29/2010
My commission expires:

Clay Schnadelbach
Notary Public

PROPERTY ADDRESS: 913 Due West Avenue (per Deed of Trust), 913 Due West Avenue North (per Trustee), Madison, TN 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Morgan PMSR MSAC 2006-HE5
3476 Stateview Blvd.
MAC# X7801-013
Fort Mill, South Carolina 29715

S & K #:07-20254
Map & Parcel – 051 01 0 053.00