Davidson County DEEDTRS
Recvd: 01/10/08 10:01 3 pgs
Fees:18.00 Taxes:410.11
20080110-0003093

This Instrument was prepared by:
CRISLIP, PHILIP & ASSOCIATES
4515 Poplar Avenue, Suite 322
Memphis, Tennessee 38117
901.525.2427
(0013612429)

SUBSTITUTE TRUSTEE'S DEED

On the 10th day of February, 2006 **SAMUEL PARKER** executed a Deed of Trust to Saturn & Mazer Title, Davidson County, GA, as Trustee, a certain Deed of Trust recorded in the Register's Office of Davidson County, Tennessee as **Instrument No. 20060215-0018339** and John B. Philip of Shelby County, Tennessee was substituted in its place and stead as Substitute Trustee of record in the Register's Office of Davidson County, Tennessee as **Instrument Number 20071024-0125584.**

The property is known as 3001 Hamilton Church, Antioch, Tennessee 37013 and is fully set forth and described hereafter.

The obligor defaulted in the payment of the debts and obligations secured by the Deed of Trust and the holder of the note evidencing such obligation requested the undersigned to advertise and sell the property conveyed thereby, according to the terms of the Deed of Trust, and in accordance with such request, the property was advertised for sale in The Nashville Record newspaper, which is a weekly newspaper published in Nashville, Tennessee, for three (3) consecutive weeks, such advertisement appearing on October 19, October 26 and November 2, 2007. Such advertisement gave the time, terms, place of sale and description of the property and at the time set out which was Tuesday, November 20, 2007 at 11:30 a.m. At which time the sale was adjourned to Wednesday, November 28, 2007 at 11:30 a.m. and at the place mentioned in the advertisement which was at the outside the door of the Register of Deeds Office for Davidson County, which is inside the Sommet Center, 501 Broadway, Suite 501, Nashville, Tennessee (enter the building at the entrance located at the corner of Broadway and 6th Avenue). The said property was offered for sale, at public outcry to the highest and best bidder for cash, at which sale the property was struck off and sold to U.S. BANK ASSOCIATION AS TRUSTEE for the sum of **$110,839.54**, which was the highest and best valid bid offered, and the purchaser, U.S. BANK ASSOCIATION AS TRUSTEE, has complied with its bid by payment of such sum to the Substitute Trustee.

NOW, THEREFORE, the undersigned, John B. Philip, Substitute Trustee, does hereby bargain, sells, and conveys unto the U.S. BANK ASSOCIATION AS TRUSTEE, the property above mentioned and now more fully described as follows:

Land in Davidson County, State of Tennessee, being Unit 118, Hamilton Crossings Townhomes, a Planned Unit Development, of record in Instrument No. 20040212-0016945, as amended in Instrument No. 20050701-0075731, Register's Office for Davidson County, Tennessee.

Being the same property described by deed of record as Instrument No. 20060215-0018338, Register's Office for Davidson County, Tennessee.

Parcel No. 163040A11800CO

The said John B. Philip, Substitute Trustee, hereby warrants the title to the above described property against the lawful claims of all persons claiming the same by, through or under him, but not further or otherwise.

NOTICE: This sale and conveyance is subject to a lien or claim of lien filed by the Internal Revenue Service in the Register's Office of Davidson County, Tennessee as Instrument No. 20070521-0060005. Notice of the Substitute Trustee's foreclosure sale has been given to the Internal Revenue Service as provided for in 26 § U.S.C. 7425 (b). Under the provisions of 26 § U.S.C. 7425 (d) (1), the United States has the right to pre-empt the purchaser for a period of 120 days. A copy of the notice sent and **USPS Certified Mail, Return Receipt received** is attached as Exhibit "A".

The proceeds of sale have been disbursed as required by law.

IN WITNESS WHEREOF, the said John B. Philip, Substitute Trustee, has hereunto set his hand this 28th day of November, 2007.

JOHN B. PHILIP, SUBSTITUTE TRUSTEE

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 28th day of November, 2007, before me, a Notary Public in and for the State of Tennessee and County of Shelby, duly commissioned and qualified, personally appeared John B. Philip, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

NOTARY PUBLIC

LINDA STUNDAHL STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY MY COMM. EXP. MARCH 31, 2010

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF SHELBY

I, or we, hereby swear or affirm that to the best of the affiant's knowledge, information, and belief, the actual consideration for the transfer or value of the property transferred, whichever is greater, is, $110,839.54, which amount is equal to or greater than the amount which the property transfer would command at a fair and voluntary sale.

AFFIANT

SUBSCRIBED and sworn to before me this 28th day of November, 2007.

NOTARY PUBLIC

LINDA STUNDAHL STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY MY COMM. EXP. MARCH 31, 2010

FOR REGISTER'S USE ONLY

Property known as:	GRANTEE & Send Tax Notice to:	This Instrument was prepared by:
3001 Hamilton Church Antioch, TN 37013	U.S. Bank Association as Trustee c/o EMC Mortgage Corporation P.O. Box 293150 Lewisville, TX 75029-3150	CRISLIP, PHILIP & ASSOCIATES 4515 Poplar Avenue, Suite 322 Memphis, Tennessee 38117 901.525.2427

Crislip, Philip & Associates
Attorneys at Law

4515 Poplar Avenue, Suite 322
Memphis, Tennessee 38117
Telephone (901) 525-2427
Facsimile (901) 255-9306

E-Mail: jbp@crislipphilip.com

John B. (Bucky) Philip
Paul N. Royal
James A. Crislip, Jr.
James A. Crislip (1926-1998)

Office Manager: Linda Stundahl

October 12, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7007 1490 0004 0211 9063

ATTN: JAMES M. KELLEY
INTERNAL REVENUE SERVICE
MDP 53 ROOM 285
801 Broadway
Nashville, Tennessee 37203

RE: FORECLOSURE SALE
U.S. Bank National Association, as Trustee
(EMC MORTGAGE CORPORATION)
Samuel Parker
Lien recorded as Instrument No. 20070521-0060005

Dear Sir/Madam:

We are commencing foreclosure on real estate owned by Samuel Parker, 3001 Hamilton Church Road #118, Antioch, TN 37013, being more particularly described as follows:

See attached Exhibit "A"

We do not have an abstract but a foreclosure reference reveals Samuel Parker acquired the property by deed dated 02/10/06 and recorded as Instrument No. 20060215-0018338 in the Register's Office of Davidson County, Tennessee.

A mortgage is held by EMC Mortgage Corporation in the original amount of $103,920.00, dated 02/10/06, and recorded as Instrument No. 20060215-0018339 in the Register's Office of Davidson County, Tennessee. The balance owed is set out below. A copy of the Deed of Trust is enclosed.

The next mortgage is held by Bayrock Mortgage Corporation in the original amount of $25,980.00, dated 02/10/06 and recorded as Instrument No. 20060215-0018340 in the Register's Office of Davidson County, Tennessee. The current balance is unknown.

The next instrument of record is a Federal Tax Lien, Internal Revenue Service The pertinent information is as follows:

Instrument No.	Date Filed	Serial No.	Identifying No.	Amount
20070521-0060005	105/21/07	363583207	xxx-xx-2325	$9,868.92

This lien is filed against Samuel Parker.

We are enclosing two (2) copies of each Federal Tax Lien of record.

We do not have a current appraisal and the current value is unknown. Our client does not desire to venture an opinion.

The amount due our client is approximately $104,548.61 and is broken down as follows:

Balance	$102,928.61
Attorney's Fee & Trustee's Fee (Est.)	1,000.00
Publication (Approx.)	400.00
Foreclosure Reference	200.00
Miscellaneous	20.00

We are commencing to advertise and sale the above property for cash to the highest and best bidder at a trustee's foreclosure sale to be held on Tuesday, November 20, 2007 at 11:30 o'clock a.m. outside the door of the Register of Deeds Office for Davidson County, which is inside the Sommet Center, 501 Broadway, Suite 501, Nashville, Tennessee (enter the building at the entrance located at the corner of Broadway and 6th Avenue).

The notice requirements of 26 U.S.C § 7425 (b) is being complied with.

We trust the foregoing complies with the requirements of 26 U.S.C. §7425 and the subsections thereof and that you will see your way clear to consent to the sale of this property free of the Federal Tax Lien.

Very truly yours,

PNR

Paul N. Royal

Apr
Enc.
G:\wp3.1\U.R.S.TAX LIEN LETTERS\PARKER, SAMUEL EMC DAVIDSON.wpd

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James M. Kelley, Technical Advisor
Internal Revenue Service
MDP 53 Room 285
801 Broadway
Nashville, TN 37203

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) [signature] C. Date of Delivery 10-15-07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☑ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 1490 0004 0211 9063

