Davidson County DEEDTRS
Recvd: 04/08/08 10:05 3 pgs
Fees:18.00 Taxes:414.13

20080408-0035386

Recorded and Prepared by:
Recontrust Company
2380 Performance Dr Bldg D
Mail Stop-RGV-D7-450
Richardson, TX 75082
TS#:07-63512

ADDRESSES NEW OWNER(S) AS FOLLOWS	SEND TAX BILLS TO:	MAP PARCEL NUMBER 05106005400
(NAME) Bank of New York	(NAME) Bank of New York	
(STREET ADDRESS OR ROUTE NUMBER) 400 Countrywide Way	(STREET ADDRESS) 400 Countrywide Way	
(CITY) (STATE) (ZIP) Simi Valley, CA 93065	(CITY) (STATE) (ZIP) Simi Valley, CA 93065	

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this, the March 5, 2008, by RECONTRUST COMPANY, substitute trustee ("Substitute Trustee").

WHEREAS, by that certain Deed of Trust dated June 10, 2005, recorded on July 1, 2005, as Instrument No. 20050701-0076079, Register's Office for Davidson, Tennessee (the "Deed of Trust"), GEORGE ANTHONY TARVER AND JENEVIEVE CARDONA TARVER, HUSBAND AND WIFE (collectively "Borrower"),conveyed to EVERETT L. ANSCHUTZ, JR, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on June 10, 2005, (the "Note"); and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., the Beneficiary under the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, RECONTRUST COMPANY, was duly appointed as Substitute Trustee in the place and stead EVERETT L. ANSCHUTZ, JR, said appointment being set forth on January 4, 2008, as Instrument No. 20080104-0000953 said Register's Office; and

WHEREAS, the Substitute Trustee caused notice to be published as provided in the Deed of Trust and Note in the DAVIDSON AM that the Property would be sold on February 5, 2008, at time 2:00 PM at the door of the Davidson County Courthouse, Tennessee, such advertisement appearing in said newspaper on January 11, 2008, January 18, 2008 and January 25, 2008, a copy of such notice sent to Borrower, the current owner of the Property, and all other parties who appeared to have any interest in the Property reflected in the records of the Register's Office of Davidson County, Tennessee, and following such notice the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said notices appeared and announced to those assembled for the sale that the sale was being continued to March 05, 2008, at the same time and place. On March 05, 2008, the Substitute Trustee offered the Property for sale, and after opening the floor for competitive bids, sold said Property to BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT 2005-38 at the price of $111,926.89, this being the highest, last and best bid.

NOW, THEREFORE, RECONTRUST COMPANY, Substitute Trustee, in consideration of the premises and the sum of $111,926.89, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT 2005-38 ("Grantee"), its successors and assigns, all of my right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

LAND IN DAVIDSON COUNTY, TENNESSEE BEING LOT NO. 4, DUE WEST SUBDIVISION, OF RECORD IN PLAT BOOK 5200, PAGE 37 REGISTER'S OFFICE

FOR SAID COUNTY, TO WHICH REFERENCE IS MADE FOR A MORE COMPLETE DESCRIPTION.

BEING THE SAME PROPERTY CONVEYED TO GEORGE ANTHONY TARVER AND WIFE JENEVIEVE CARDONA TARVER ON MAY 16, 2000 BY QUIT CLAIM DEED OF RECORD IN BOOK 200005170049405 SAID REGISTER'S OFFICE.

Borrower's source of title is that certain Quitclaim Deed dated May 16, 2000, recorded on May 17,2000, as Instrument No. 200005170049405, said Register's Office. To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to (1) any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; (2) any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; (3) any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; (4) applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of Davidson County, Tennessee; (5) any governmental zoning and subdivision ordinances or regulations in effect thereon; (6) the accuracy of the Index Book of the said Register's Office; and (7) any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee on the day and date first above written.

RECONTRUST COMPANY, as Substitute Trustee
By: _____
Print Name: Denise Sletten
Title: Assistant Secretary

STATE OF TEXAS)
COUNTY OF DALLAS)

Before me, Louis M Neely, of the state and county aforesaid, personally appeared Denise Sletten of RECONTRUST COMPANY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself/himself to be Assistant Secretary of RECONTRUST COMPANY, a corporation, and that s/he as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by herself/himself as such officer.

WITNESS my hand and seal at office in Dallas, Texas this 4th day of, March 2008.

Louis M Hibbs
Notary Public

My commission expires:
1/14/12



STATE OF TEXAS)
COUNTY OF DALLAS)

The actual consideration or value, whichever is greater, for this transfer is $111,926.89.

Affiant

Sworn to and subscribed before me this 4th day of April, 2008.

Louis M Hibbs
Notary Public

My commission expires:
1/14/12

