Davidson County DEEDTRS
Recvd: 06/17/08 10:35 5 pg:
Fees:28.00 Taxes:459.03
20080617-0062232

Prepared by and Return to:
Laura Grifka/pbogle 06/05/2008
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 07-07854 /C. Wesley Heughan and Jennifer Lee Heughan

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated July 3, 2000, and recorded in the Register's Office of Davidson County, Tennessee, on August 4, 2000 at Instrument No. 200008040077551, Deed Book 1, Page 1, ("Deed of Trust"), C. Wesley Heughan and Jennifer Lee Heughan conveyed to Michael Mossman, Trustee, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to GMAC Mortgage, LLC; and

WHEREAS, GMAC Mortgage, LLC, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 20080122000644 8, in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 5/9, 5/16, 5/23, in The Tennessean, by which advertisement the sale was held on June 5, 2008, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale GMAC Mortgage, LLC, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $124,061.67; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to GMAC Mortgage, LLC, its successors and assigns;

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

WHEREAS, this sale shall be subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record at Instr # 200203150033077; 200203150033080; 200510050120363; 20051027030041 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

NOW, THEREFORE, in consideration of the premises and of the payment by GMAC Mortgage, LLC as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Laura A. Grifka, as Substitute Trustee, does hereby grant, bargain, sell and convey unto GMAC Mortgage, LLC, its successors and assigns, in fee simple forever, the following described property, to-wit:

**FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF**

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said GMAC Mortgage, LLC, its successors and assigns, forever, to whom the said, Laura A. Grifka, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, Laura A. Grifka, has hereunto set her hand, on June 5, 2008.

Laura A. Grifka
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On June 5, 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Laura Grifka, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the foregoing instrument for the purposes contained therein.

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

Notary Public

My Commission Expires: 7/25/10

PATRICIA A. TAGGART NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES JULY 25, 2010

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STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $124,061.67, 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 June 5, 2008

Notary Public

PATRICIA A. TAGGART NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES JULY 25, 2010

Mail Tax Notices to and Property Owner:
GMAC Mortgage, LLC
1270 Northland Drive, Suite 200
Mendota Heights, MN 55120

Map & Parcel No.: 07408013100
Property Address: 321 Bonnavue Drive
Hermitage, TN 37076

Exhibit "A"

Being Lot No. 714 on the Plan of Hermitage Hills Subdivision, Section 7, as of record in Book 3300, page 62, Registers Office for Davidson County, Tennessee.

Said Lot No. 714 fronts 84.8 feet on the Southerly margin of Bonnavue Drive and runs back between lines measuring 233.3 feet on the westerly line and 242.0 feet on the easterly line to a dead line in the rear measuring 66.4 feet thereon.

Being the same property conveyed to C. Wesley Heughan Jr. and wife, Jennifer Lee Heughan by Deed from Karl W. Heughan and Melanie D. Heughan dated 10/8/97 and recorded 2/6/98, of record in Book 10785, page 368, Registers Office for Davidson County, Tennessee.

Property Address:
321 Bonnavue Dr.
Hermitage, Tennessee 37076

LAW OFFICES
McCURDY&CANDLER, L.L.C.

SUITE 600
250 EAST PONCE DE LEON AVENUE
DECATUR, GEORGIA 30030
TELEPHONE 404-373-1612

MAILING ADDRESS:

P.O. BOX 57
DECATUR, GEORGIA 30031

JULIUS A. McCURDY (1903 1993)
SCOTT CANDLER, JR. (1926 1994)
J. ROBIN HARRIS (1925 1989)

JOHN WALTER DRAKE
ALAN E. RAUBER
JOHN C. SAMMON
ANTHONY DEMARLO
SCOTT CANDLER, III
CLARK E. CANDLER
EDNA E. HAWES
SIDNEY A. GELERNTER *
DONALD C. SUESSMITH, Jr.
CHRISTIE G. HENNINGS **
J. MICHAEL DUGAN *
DEBORAH Y. CHANDLER
KARL P. ENDERLE
FRANK R. OLSON ****
TONYA M. KING*****
A. BRETT VERNER

OF COUNSEL:
REBECCA A. HOELTING
TERRI A. CANDLER
MARGARET C. COURTRIGHT ***
R. THEODORE SMITH (RETIRED)
H. RAIFORD HODGES, JR. (RETIRED)

BANKRUPTCY DEPT. TELECOPIER 404-370-7237
FORECLOSURE DEPT. TELECOPIER 404-370-7232
POST-FORECLOSURE DEPT. TELECOPIER 404-214-5245

WEBSITE:
www.mccurdycandler.com

*ALSO ADMITTED IN TENNESSEE
**ALSO ADMITTED IN ALABAMA
*** ALSO ADMITTED IN NORTH CAROLINA
**** ALSO ADMITTED IN NORTH CAROLINA AND TENNESSEE
*****ALSO ADMITTED IN FLORIDA

May 5, 2008

Internal Revenue Service
Attn: Technical Support- P. Jackson
801 Broadway MDP 53
Nashville, TN 37203

RE:

Our File No.:	07-07854
Loan No.:	0359061738
Borrower Name:	C. Wesley Heughan and Jennifer Lee Heughan
Taxpayer:	**Same as above**
SSN:	**413-37-2727**
Property Address:	321 Bonnavue Drive Hermitage, TN 37076

Dear Sir or Madam:

Our firm is in the process of foreclosing a Deed of Trust on the property at Davidson County, Tennessee, a copy of the legal description being attached herewith. The present owner(s) of record is/are C. Wesley Heughan Jr. .

Our examination of the records in Davidson County, Tennessee, reveals that there is of record a Federal Tax Lien. For your identification, I am attaching copies of the Department of Treasury-Internal Revenue Service Form 668 on the above-referenced tax lien, in compliance with paragraph 7425(c) of the Internal Revenue Code, i.e., a Notice of Non-judicial Sale.

The Deed of Trust to be foreclosed by public sale was executed by C. Wesley Heughan and Jennifer Lee Heughan to Bank One, NA on July 3, 2000 in the principal amount of $122,500.00 at 10.37000 percent interest. The amount due on the day of foreclosure is approximately $123,553.50. The per diem amount is $0.00. Estimated fees and costs of foreclosure are $1,500.00. The foreclosure will take place on June 5, 2008 . The sale will be for cash.

This notice is being submitted in duplicate and I would appreciate your indicating the date and time received on the duplicate copy and returning it to the undersigned at the following address:

P.O. Box 57
Decatur, GA 30031

Yours very truly,
McCurdy & Candler, L.L.C.

Laura Grifka

BY: Laura Grifka

LG/pbogle
Enclosures

SUBSTITUTE TRUSTEE'S SALE

TENNESSEE, DAVIDSON COUNTY

WHEREAS default having been made in the payment of the indebtedness, secured by a Deed of Trust executed by C. Wesley Heughan and Jennifer Lee Heughan to Michael Mossman, Trustee dated July 3, 2000 in the amount of $122,500.00, and recorded in the Register's Office of Davidson County, Tennessee in Instrument No. 200008040077551, ("Deed of Trust");

WHEREAS the beneficial interest of said Deed of Trust was last transferred to GMAC Mortgage, LLC by assignment; and

WHEREAS GMAC Mortgage, LLC the current owner and holder of said Deed of Trust (the "Owner and Holder"), appointed the undersigned, Frank R. Olson, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka, as Substitute Trustee by instrument filed for record in the Register's Office of Davidson County, Tennessee with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and

NOW, THEREFORE, notice is hereby given that the entire amount of said indebtedness has been declared due as provided in said Deed of Trust by the Owner and Holder, and the undersigned Frank R. Olson, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka, Substitute Trustee, or a duly appointed attorneys or agents, by virtue of the power and authority vested in the Appointment of Substitute Trusee, will on Thursday, June 5, 2008 commencing at 12pm at the main door of Cheatham County Courthouse in Ashland City, TN; proceed to sell at public outcry to the highest bidder for cash, the property described in said deed to-wit:

Being Lot No. 714 on the Plan of Hermitage Hills Subdivision, Section 7, as of record in Book 3300, page 62, Registers Office for Davidson County, Tennessee.

Said Lot No. 714 fronts 84.8 feet on the Southerly margin of Bonnavue Drive and runs back between lines measuring 233.3 feet on the westerly line and 242.0 feet on the easterly line to a dead line in the rear measuring 66.4 feet thereon.

Being the same property conveyed to C. Wesley Heughan Jr. and wife, Jennifer Lee Heughan by Deed from Karl W. Heughan and Melanie D. Heughan dated 10/8/97 and recorded 2/6/98, of record in Book 10785, page 368, Registers Office for Davidson County, Tennessee.

Property Address:
321 Bonnavue Dr.
Hermitage, Tennessee 37076

Map & Parcel No.: 07408013100

PROPERTY ADDRESS: 321 Bonnavue Drive, Hermitage, Tennessee 37076
CURRENT OWNER(S): C. Wesley Heughan Jr.
SUBORDINATE LIENHOLDERS: N/A
OTHER INTERESTED PARTIES: Internal Revenue Service

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in: Instr # 200203150033077; 200203150033080; 200510050120363; 20051027030041 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The sale will be held subject to any unpaid taxes, assessments, rights-of-way, easements, protective covenants or restrictions, liens, and other superior matters of record which may affect said property; as well as any prior liens or encumbrances as well as priority created by a fixture filing; and/or any matter that an accurate survey of the premises might disclose.

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the security deed.

Notice has been given of intention to collect attorneys' fees in accordance with the terms of the note secured by said deed.

The right is reserved to adjourn the day of the sale to another day, time and place certain without further publication, upon announcement at the time and place for the sale set forth above.

Frank R. Olson, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka
McCurdy & Candler, L.L.C.
(404) 373-1612
www.mccurdycandler.com
File No. 07-07854 /CONV
Ad Run Dates: 5/9, 5/16, 5/23