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Davidson County DEEDTRS
Recvd: 10/27/08 13:26 2 pgs
Fees:13.00 Taxes:646.22
20081027-0107112

ADDRESSES NEW OWNER(S) AS FOLLOWS	SEND TAX BILLS TO:	MAP PARCEL NUMBER
(NAME) BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-12	(NAME) BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-12	114 07 0B 110
(STREET ADDRESS OR ROUTE NUMBER) 1800 Tapo Canyon Road	(STREET ADDRESS) 1800 Tapo Canyon Road	
(CITY) (STATE) (ZIP) Simi Valley CA 93063	(CITY) (STATE) (ZIP) Simi Valley CA 93063	

SUCCESSOR TRUSTEE'S DEED

This instrument made and entered into on August 7, 2008, by Everett L. Hixson, Jr., Successor Trustee ("Successor Trustee").

WHEREAS, by that certain Deed of Trust dated October 20, 2004, and recorded on November 11, 2004, in Instrument Number **20041111-0135905**, Register's Office for DAVIDSON County, Tennessee (the "Deed of Trust"), **EDWARD ADAM SMITH and KENDRA C. SMITH** (collectively "Borrower") conveyed to Arnold M. Weiss, Trustee, 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 October 20, 2004 (the "Note"), which obligation is presently held and owned by **Mortgage Electronic Registration Systems, Inc.**; 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, Lender, the owner and holder of the Note evidenced by 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, Everett L. Hixson, Jr., was duly appointed as Successor Trustee in the place and stead of Arnold M. Weiss, said appointment being set forth in Instrument Number **20080625-0065298** said Register's Office; and

WHEREAS, the Successor Trustee caused notice to be published as provided in the Deed of Trust and Note in the Nashville Record that the Property would be sold on **August 7, 2008**, at 11:00 am at the door of the DAVIDSON County Courthouse, Nashville, Tennessee, such advertisement appearing in said newspaper on **06/06/08, 06/13/08 AND 06/20/08**, 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, Nashville, Tennessee, and following such notice the default was not cured; and

WHEREAS, the Successor Trustee at the time, place and date specified in said notices offered the Property for sale, and after opening the floor for competitive bids, sold said Property to **Mortgage Electronic Registration Systems, Inc.** at the price of **One Hundred Seventy Four Thousand Six Hundred Fifty Four and 56/100 Dollars ($174,654.56)** this being the highest, last and best bid.

NOW, THEREFORE, I, Everett L. Hixson, Jr., Successor Trustee as aforesaid, in consideration of the premises and the sum of **One Hundred Seventy Four Thousand Six Hundred Fifty Four and 56/100 Dollars ($174,654.56)** to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2004-12.** ("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:

BEING LOT NO 98, ON THE PLAN OF SECTION FOUR, WESTCHASE OF RECORD AS INSTRUMENT NUMBER 200402040013784, REGISTER'S OFFICE FOR DAVIDSON

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

1101 Wildwood Court, Nashville, TN 37209.

Borrower's source of title is that certain Warranty Deed dated October 20, 2004 from NVR, Inc. a Virginia Corporation T/A Fox Ridge Homes to EDWARD ADAM SMITH and KENDRA C. SMITH of record on November 11, 2004 in Instrument Number 20041111-0135904, 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 Successor Trustee on the day and date first above written.

Everett L. Hixson, Jr.
Successor Trustee

STATE OF TENNESSEE)
COUNTY OF HAMILTON

Before me, Caren L. Giles, of the state and county aforesaid, personally appeared Everett L. Hixson, Jr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged he executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal at office in Chattanooga, Tennessee this 13th day of October, 2008.

Caren L. Giles
Notary Public

My commission expires:

Feb. 12, 2011

CAREN L. GILES STATE OF TENNESSEE NOTARY PUBLIC HAMILTON COUNTY

STATE OF TENNESSEE)
COUNTY OF HAMILTON

The actual consideration or value, whichever is greater, for this transfer is $174,654.56.

Affiant

Sworn to and subscribed
before me this 13th day of October, 2008.

Caren L. Giles
Notary Public

CAREN L. GILES STATE OF TENNESSEE NOTARY PUBLIC HAMILTON COUNTY

My commission expires:
Feb. 12, 2011