Davidson County DEEDTRS
Recvd: 10/29/08 15:32 6 pgs
Fees:33.00 Taxes:177.57
20081029-0108103

Prepared by and Return to:
Patrick Taggart/ccollymore 10/23/2008
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

SUBSTITUTE TRUSTEE'S DEED

Homecomings Financial
File No. 08-19956 /Dazell L. Hill and William Hill

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated October 10, 2003, and recorded in the Register's Office of Davidson County, Tennessee, on October 20, 2003 at Instrument No. 200310200154836, ("Deed of Trust"), Dazell L. Hill and William Hill conveyed to Michael T. Bates, 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 The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee sbm Bank One NA as Trustee; and

WHEREAS, The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee sbm Bank One NA as Trustee, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 200810150103865, 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 The Nashville Record - Davidson in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 9/26/2008, 10/3/2008, and 10/10/2008. The sale was held on October 23, 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 The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $47,990.85; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, 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 **TENNESSEE DEPARTMENT OF REVENUE, TAX ENFORCEMENT DIVISION**, pursuant to T.C.A. 67-1-1433(c)(1) **by reason of the following tax lien(s) of record at Instrument No. 20030925-0142225 Notice of the sale has been given to the State of Tennessee in accordance with T.C.A. 67-1-1433(b)(1).**

NOW, THEREFORE, in consideration of the premises and of the payment by The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Patrick A. Taggart, as Substitute Trustee, does hereby grant, bargain, sell and convey unto The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, 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 The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, its successors and assigns, forever, to whom the said, Patrick A. Taggart, 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, Patrick Taggart, has hereunto executed, on October 23, 2008.

Patrick Taggart
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On October 23, 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Patrick A. Taggart, 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.

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Notary Public

My Commission Expires: MY COMMISSION EXPIRES FEB. 19, 2012

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 $47,990.85, 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 October 23, 2008.

Notary Public

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

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

Map & Parcel No.: 15007035800
Property Address: 3204 Oakview Court
Antioch, TN 37013

Exhibit "A"

Land in Davidson County, Tennessee, being Lot No. 22B, zone lot division, Lots 22 and 55, Lakeshore Woods, Section Two, as recorded in Book 5800, Page 370 an amendment of Plat Book 5200, Page 608, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description of said lot.

Being the same property conveyed to Pamela S. Sexton by Deed from John A. Bischoff, an unmarried person dated 4/28/99, of record in Book 11454, Page 526, Registers Office for Davidson County, Tennessee.

Subject to Restrictive covenants of record in Book 6230, Page 385 and Book 6234, Page ____ and subject to the plan of record in Plat Book 5200, Page 608 amended in Plat Book 5800, Page 370. Being further conveyed to Dazell L. Hill and husband, William Hill by Warranty Deed, dated 10/10/03, of record in Instrument #20031020-0154835, Registers Office for Davidson County, Tennessee.

Property Address:
3204 Oakview Ct.
Antioch, Tennessee 37013

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

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

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
FRANK R. OLSON *
TONYA M. KING
A. BRETT VERNER
LAURA A. GRIFKA
C. ELIZABETH JONES
JOHN D. ANDRLE
PATRICK N. TAGGART *
C. ERIC BURKETT

OF COUNSEL
REBECCA A. HOELTING
MARGARET C. COURTRIGHT

FRANK J. RHODES, JR
H. RAIFORD HODGES, JR (RETIRED)

*ALSO ADMITTED IN TENNESSEE

MAILING ADDRESS:

P.O. BOX 57
DECATUR, GEORGIA 30031

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

WEBSITE:
www.mccurdycandler.com

September 22, 2008

Donera Adcox
Department of Revenue
Special Procedures
500 Deadrick Street, 4th Floor
Nashville, TN 37242

RE: Our File No.: 08-19956
Loan No.: 7436918189
Borrower Name: Dazell L. Hill and William Hill
Property Address: 3204 Oakview Court
Antioch, TN 37013

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 Dazell L. Hill and William Hill .

Our examination of the records in Davidson County, Tennessee, reveals that there is of record a State Tax Lien. For your identification, I am attaching copies of the above-referenced tax lien.

The Deed of Trust to be foreclosed by public sale was executed by Dazell L. Hill and William Hill to Sebring Capital Partners on October 10, 2003 in the principal amount of $61,950.00 at 12.50000 percent interest. The amount due on the day of foreclosure is approximately $98,671.80. The per diem amount is $0.00. Estimated fees and costs of foreclosure are $1,500.00. The foreclosure will take place on October 23, 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.

Patrick A. Taggart

BY: Patrick A. Taggart

LG/ccollymore
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 Dazell L. Hill and William Hill to Michael T. Bates, Trustee dated October 10, 2003 in the amount of $61,950.00, and recorded in the Register's Office of Davidson County, Tennessee in Instrument No. 20031020-0154836, ("Deed of Trust");

WHEREAS the beneficial interest of said Deed of Trust was last transferred to The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee sbm Bank One NA as Trustee by assignment; and

WHEREAS The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee sbm Bank One NA as Trustee the current owner and holder of said Deed of Trust (the "Owner and Holder"), appointed the undersigned, Patrick A. Taggart, 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 Patrick A. Taggart, 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, October 23, 2008 commencing at 12:00 PM at 501 Broadway at the front of Sommet Center, formerly known as Gaylord Entertainment Center, Nashville, Tennessee; proceed to sell at public outcry to the highest bidder for cash, the property described in said deed to-wit:

Land in Davidson County, Tennessee, being Lot No. 22B, zone lot division, Lots 22 and 55, Lakeshore Woods, Section Two, as recorded in Book 5800, Page 370 an amendment of Plat Book 5200, Page 608, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description of said lot.

Being the same property conveyed to Pamela S. Sexton by Deed from John A. Bischoff, an unmarried person dated 4/28/99, of record in Book 11454, Page 526, Registers Office for Davidson County, Tennessee.

Subject to Restrictive covenants of record in Book 6230, Page 385 and Book 6234, Page ____ and subject to the plan of record in Plat Book 5200, Page 608 amended in Plat Book 5800, Page 370. Being further conveyed to Dazell L. Hill and husband, William Hill by Warranty Deed, dated 10/10/03, of record in Instrument #20031020-0154835, Registers Office for Davidson County, Tennessee.

Property Address:
3204 Oakview Ct.
Antioch, Tennessee 37013

Map & Parcel No.: 15007035800

PROPERTY ADDRESS: 3204 Oakview Court, Antioch, Tennessee 37013
CURRENT OWNER(S): Dazell L. Hill and William Hill
SUBORDINATE LIENHOLDERS: Homecomings Financial, LLC, Sherman Acquisition, LP, State of Tennessee Department of Labor and Workforce Development
OTHER INTERESTED PARTIES: N/A

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.

Patrick A. Taggart, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka
McCurdy & Candler, L.L.C.
(404) 373-1612

www.mccurdycandler.com
File No. 08-19956 /CONV
Ad Run Dates: 9/26, 10/3, 10/10
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.