RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Gary E. Swygert

GRANTEE(s)
The Secretary of Veterans Affairs,
an Officer of the United States of America,
his/her successors and/or assigns

This Instrument Prepared By:
Robert M. Wilson, Jr.
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDIRS
Recvd: 12/23/08 08:53 5 pgs
Fees:27.00 Taxes:0.00
20081223--0122200

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated September 3, 2005 and recorded March 1, 2006, as Instrument No. 20060301-0023528 in the Register's Office of Davidson County, Tennessee, Gary E. Swygert conveyed to Dean Hackemer, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Access National Mortgage and Access National Mortgage's successors and assigns, the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the holder of the debt secured has appointed **AARON L. SQUYRES** as Successor Trustee and **Matthew Smith** as Co-Trustee by instrument of record recorded on February 19, 2008 as Instrument No. 20080219-0015953 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 has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; and

WHEREAS, pursuant to said advertisement and notice, on December 3, 2008 at the The Sommet Center in **Nashville, Tennessee, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which time the said property was struck off and sold to Wells Fargo Bank, NA, at and for the sum of $58,166.00, that being the highest and best bid offered; and**

WHEREAS, the said Wells Fargo Bank, NA has assigned its interest in said property to The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Wells Fargo Bank, NA of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT: A CERTAIN CONDOMINIUM UNIT IN PRIEST LAKE PARK CONDOMINIUM DESCRIBED AS FOLLOWS: UNIT NO. 44 IN A **HORIZONTAL PROPERTY REGIME AS SHOWN ON THE CONDOMINIUM SITE PLAN** OF PRIEST LAKE PARK CONDOMINIUM, AS OF RECORD IN BOOK 4460, PAGE 79, AMENDED IN BOOK 4460, PAGE 88, REGISTER'S OPFICE FOR DAVIDSON COUNTY, TENNESSEE. SUBJECT TO MASTER DEED OF RECORD IN BOOK 4651, PAGE 412, AMENDED IN BOOK 4943, PAGE 692, BOOK 5189, PAGE 671, BY-LAWS, OF RECORD IN BOOK 4651, PAGE 420, AMENDED IN BOOK 5083, PAGE 417, BOOK 8115, PAGE 838, BOOK 9089, PAGE 765. CHARTER OF RECORD IN BOOK 4944, PAGE 115, RULES AND REGULATION OF RECORD IN BOOK 7679. PAGE 173, AMENDED IN BOOK 8115. PAGE 849 BOOK 9089, PAGE 757, BOOK 9507, PAGE 606, BOOK 9927, PAGE 75, SAID REGISTER'S OFFICE. THIS IS THE SAME DESCRIPTION AS IN PREVIOUS DEED OF RECORD. THIS CONVEYANCE IS MADE SUBJECT TO EASEMENTS, RESTRICTIONS, ENCUMBRANCES AND ORDINANCES AS THEY AFFECT TO PREMISES.

BEING THE SAME PROPERTY CONVEYED TO GARY E. SWYGERT, A SINGLE PERSON BY DEED FROM FRANCES L. WIKSTROM, UNMARRIED RECORDED 03/30/2000 IN DEED DOCUMENT #200003300031959, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

FOR INFORMATION PURPOSES ONLY : THE APN IS SHOWN BY THE COUNTY ASSESSOR AS APN: 136-3-A-44-CO

SOURCE OF TITLE: DOCUMENT NO. 200003300031959 (RECORDED 03/30/00)

Commonly known as: 4000 Anderson Road # 44, Murfreesboro, Tennessee 37217.

Tax Parcel No.: 136030A044.00CO

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 5 day of Dec, 2008.

Matthew Smith, Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Matthew Smith, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 5 day of Dec, 2008.

Lena M. Drennan
Notary Public

My Commission Expires: _____

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is **$58,166.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes.**

Matthew Smith
Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Matthew Smith, as Co-Trustee, with who I am personally acquainted, and whom acknowledged that he or she executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in Little Rock this 5 day of Dec, 2008.

Lena M. Drennan
Notary Public

My Commission Expires: _____

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Department of Veterans Affairs
Regional Office
110 9th Avenue South
Nashville, Tennessee 37203

VA No. 202060532179

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared Matthew Smith, who after being duly sworn, deposed and stated:

1. I am the Co-Trustee with a certain deed of trust, dated September 3, 2005, recorded March 1, 2006, as Instrument No. 20060301-0023528 in the Register's Office of Davidson County, Tennessee, executed by Gary E. Swygert in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Access National Mortgage and Access National Mortgage's successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Access National Mortgage and Access National Mortgage's successors and assigns.

2. Wells Fargo Bank, NA is the holder of or agent for the holder of the indebtedness secured by said deed of trust.

3. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least three (3) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

4. **As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C.S. §501, *et seq*. (the Servicemembers Civil Relief Act).**

FURTHER AFFIANT SAYETH NOT.

DATED this 16 day of Dec, 2008.

Matthew Smith
Affiant

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Matthew Smith, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 16 day of Dec, 2008.

Melissa G. Peresko
Notary Public

My Commission Expires:

MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

VA No. 202060532179
DServiceMembersAffidavitTN_vjones_081215_1056