RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Gary W. Waller and Donna Waller

GRANTEE(s)
The Secretary of Housing and Urban Development, 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 DEEDTRS
Recvd: 01/08/09 08:24 5 pgs
Fees:27.00 Taxes:0.00
20090108-0001850

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated August 19, 2004 and recorded August 23, 2004, as Instrument No. 20040823-0101388 in the Register's Office of Davidson County, Tennessee, Gary W. Waller and Donna Waller conveyed to Gregg Murphy, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Columbia National, Incorporated and Columbia National, Incorporated'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 **SHELLIE WALLACE** as Successor Trustee and **MATTHEW SMITH** as Co-Trustee by instrument of record recorded on June 9, 2008 as Instrument No. 20080609-0058656 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 August 6, 2008 at the SOMMET CENTER, 501 BROADWAY 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 $62,324.91, 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 Housing and Urban Development, 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 Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being inDavidson County, Tennessee, to wit:

Being part of Lot No. 14 in A.H. Robinson's Subdivision of Lots Nos. 28 and 29 and part of Lot No. 30 in Brownsville, a plan of which subdivision is of record in Book 57, Page 1, Register's Office for Davidson County, Tennessee. Said part of Lot No. 14 is more particularly described as follows: BEGINNING at a point in the dividing line between said Lot No. 14 and Lot No. 15, 214-1/2 feet south of the northwest corner of said Lot No. 14, running thence easterly, parallel with Main Street, 95 feet to the center of Chapel Avenue; thence southerly with the center of Chapel Avenue, 42 feet; thence westerly to and along the north margin of Main Street; to a point in the dividing line of lot Nos. 14 and 15 at the north margin of Main Street, thence Northerly, along the dividing line between Lots Nos. 14 and 15, 42 feet to the point of beginning. Being the same property conveyed to Gary W. Waller by deed of record in Instr: 20040823-0101387, Register's Office, Davidson County, Tennessee. Donna Waller herein joins to convey any and all rights and interests she may have, if any.

Commonly known as: 2411 Chapel Avenue, Nashville, Tennessee 37206.

Tax Parcel No.: 07214009300

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 Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 7th day of August, 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 7th day of August, 2008.

Melissa G. Peresko
Notary Public

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

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 $62,324.91, 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 such person executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in Little Rock this 7th day of August, 2008.

Melissa G. Peresko
Notary Public

My Commission Expires:

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

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Pyramid Real Estate Services
616 Marriott Drive, Suite 300
Nashville, Tennessee 37214

FHA No. 483-3484966

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 August 19, 2004, recorded August 23, 2004, as Instrument No. 20040823-0101388 in the Register's Office of Davidson County, Tennessee, executed by Gary W. Waller and Donna Waller in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Columbia National, Incorporated and Columbia National, Incorporated'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 Columbia National, Incorporated and Columbia National, Incorporated'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 29 day of Dec, 08.

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 29 day of Dec, 08.

Notary Public

My Commission Expires: _____

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

139730

Department of Defense Manpower Data Center MAY-23-2008 08:35:06

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
WALLER	gary	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		