PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
Fax: 901-761-5690

Davidson County DEEDTRS
Recvd: 03/05/09 11:52 3 pgs
Fees:18.00 Taxes:548.28
20090305-0019770

Name: Tracy Palubicki, and Zachary Palubicki
S&K#: 08-010934

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated February 9, 2007, recorded in Instrument number 20070221-0021417 in the Register's Office of Davidson County, Tennessee, Tracy Palubicki, conveyed to Bryan D. Spicer, Trustee, 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 appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20090130-0008119, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on February 19, 2009, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 a.m.; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 Taylor, Bean & Whitaker Mortgage Corp., whose address is Taylor, Bean & Whitaker, 1417 N. Magnolia Avenue, Ocala, Florida 34475 at and for the sum of $148,183.43, that being the highest and best bid offered; and,

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

NOW, THEREFORE, in consideration of the premises and the payment by Taylor, Bean & Whitaker Mortgage Corp., the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP., as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Taylor, Bean & Whitaker Mortgage Corp., its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 19, Bellshire Estates, Section I, as of record in Plat Book 2133, Pages 124 and 125, Register's Office for said County.

Said Lot Number 19 fronts 142 feet on the northerly side of Darbytown Road, and runs back 280 feet on the easterly line and 272.1 feet on the westerly line, to a dead line in the rear on which it measures 142.5 feet thereon.

This legal description is identical with that in Deed of Trust recorded in Instrument number 20070221-0021417 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record Instrument number 20070221-0021417 Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20050104-0000832, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements.

This conveyance is subject to the right of the State of Tennessee to redeem the land as provided for in T.C.A. 67-1-1433 (c) (1). Attached hereto is a copy of said notice and letter of compliance.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Taylor, Bean & Whitaker Mortgage Corp., its successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP., Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP., Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP.

Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 19th day of February, 2009, before me, a Notary Public, in and for said State and County, personally appeared Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be the Managing Foreclosure Attorney of Shapiro & Kirsch, L.L.P. the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

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

02/01/2012
My commission expires:

Notary Public

DIANE J. GRAHAM
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY
My Commission Expires 02/01/2012

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of property conveyed (whichever is greater) is $148,183.43.

Affiant

Subscribed and sworn to before me on the date written above.

02/01/2012
My commission expires:

Notary Public

DIANE J. GRAHAM
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY
My Commission Expires 02/01/2012

PROPERTY ADDRESS: 1136 Darbytown Drive, Nashville, TN 37207

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Taylor, Bean & Whitaker Mortgage Corp.
1417 N. Magnolia Avenue
Ocala, Florida 34475

S & K #:08-010934
Map & Parcel – 04112002400

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

January 23, 2009

Joe M. Kirsch
Shapiro & Kirsch, LLP
6055 Primacy Parkway, Suite 410
Memphis, TN 38119

Re: Foreclosure Sale of Property Owned by: **Zachary J Palubicki**
Entity Number: **002 426134777 / 001 201452376**

Dear Mr. Kirsch:

This is in reference to your letter dated January 20, 2009 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **February 19, 2009** is **$10,084.58**. (*Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Sincerely,

Donera Adcox (Pa)

Donera Adcox, Account Tech I
Special Procedures Section
Revenue Enforcement Division

DA/enc
c: *file*