**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Joseph K. Rogers and Alana Hartley**

**GRANTEE(s)**
**Wells Fargo Bank, NA**

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

BILL GARRETT, Davidson County
Trans:T20090025949 DEEDTRS
Recvd: 04/20/09 14:22 5 pgs
Fees:28.00 Taxes:503.20
20090420-0035683

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated October 20, 2006 and recorded October 23, 2006, as Instrument No. 20061023-0130777 in the Register's Office of Davidson County, Tennessee, Joseph K. Rogers and Alana Hartley conveyed to Arnold M. Weiss, Esq., 208 Adams Avenue, Memphis, TN 38103, as Trustee for Citylife Lending Group, LLC, 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 March 19, 2009 as Instrument No. 20090319-0024600 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 April 8, 2009 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 $136,000.00, that being the highest and best bid offered; 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 said Wells Fargo Bank, NA, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being a certain Condominium Apartment in Davidson County, Tennessee, being Unit No. 1002 as specified on the Plat shown in the Master Deed, on the Plan of Riverfront Condominiums, a Horizontal Property Regime, created under Title 66, Section 27-101, el seq., as amended, Tennessee Code Annotated, and as established by a Master Deed for Riverfront Condominiums, of record under Instrumenl No. 20051221-0153160, as amended in Instrument No. 20051228-0155671. and Second Amendment in Instrument No. 20060518-0058640. Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto, said Register's Office, together with the undivided percentage interest in the Common Elements appurtenant to said Unit, as set forth in said Master Deed. Reference is hereby made to the plan of Riverfront Condminiums for placement of Units, as shown on Exhibit E to the Master Deed of record under Instrument No. 20051221-0153160, as amended in Instrument No. 20051228-0155671, and Second Amendment in Instrument No. 20060518-0058640, said Register's Office, for a more complete identification and description of such Unit.
>
> Alana Hartley, although not a Borrower hereunder or otherwise obligated to pay any amounts due under the Note secured hereby, joins in this conveyance for the purpose of conveying, pledging or otherwise transferring her interest in the hereinabove described property as security for the Note secured hereby. The said Alana Hartley hereby acknowledges that this Deed of Trust shall constitute a lien and encumbrance on the title to the above described property.

Being the same property conveyed to Joseph K. Rogers and wife, Alana Hartley by Warranty Deed recorded October 23, 2006 , as Instrument No. 20061023-0130776, Register's Office for Davidson County, Tennessee.

Commonly known as: 1002 1st Avenue North, Nashville, Tennessee 37201.

Tax Parcel No.: 082140A05100CO

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 Wells Fargo Bank, NA, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 8th day of April, 2009.

Shellie Wallace
Successor 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, Shellie Wallace, as Successor Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Successor Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 8 day of April, 09.

Notary Public

My Commission Expires: [illegible]

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

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 **$136,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.**

Shellie Wallace
Successor 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, Shellie Wallace, as Successor Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the foregoing Form For Oath for the purposes therein contained.

Witness my hand and seal at office in LR this 8 day of April, 09.

Notary Public

My Commission Expires: [illegible]

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Wells Fargo Bank, NA
3476 Stateview
Fort Mill, SC 29715

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

# EXHIBIT "A"

## SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

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

1. I am the Successor Trustee with a certain deed of trust, dated October 20, 2006, recorded October 23, 2006, as Instrument No. 20061023-0130777 in the Register's Office of Davidson County, Tennessee, executed by Joseph K. Rogers and Alana Hartley in favor of Citylife Lending Group, LLC to secure the payment of a deed of trust note to Citylife Lending Group, LLC.

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 6th day of April, 2009.

Shellie Wallace
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, Shellie Wallace, Successor Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Successor Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 8 day of April, 09.

Melissa G. Reresko
Notary Public

My Commission Expires:

DServiceMembersAffidavitTN_mokere_090408_1614

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

Department of Defense Manpower Data Center FEB-04-2009 06:57:29

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

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