RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Michael D. Smith

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

BILL GARRETT, Davidson County
Trans: T20090026831 DEEDTRS
Recvd: 04/23/09 13:24 6 pgs
Fees:32.00 Taxes:0.00
20090423-0036926

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated November 17, 2006 and recorded November 28, 2006, as Instrument No. 20061128-0146703 in the Register's Office of Davidson County, Tennessee, Michael D. Smith conveyed to Sandra F. Jones, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for America's Choice Mortgage and America's Choice 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 **SHELLIE WALLACE** as Successor Trustee and **Matthew Smith** as Co-Trustee by instrument of record recorded on April 3, 2009 as Instrument No. 20090403-0030230 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 $86,367.00, 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:

LAND in the 12th Civil District of Davidson County, Tennessee, known as parts of Lots 3 and 4 on the Map of the Real Estate of William Phillips, deceased, as of record in Book 57, Page 21, Register's Office for Davidson County, Tennessee, and being shown as the Southeast part of a tract of 24.38 acres surveyed off the East part of Alex Perry's Maplewood Lands, and shown on survey by Erle Drake, County, Surveyor, made in January, 1921, and described as follows:

BEGINNING at a point in the center line of a Boulevard or Road, running, through said Maplewood Tract, at the Southeast corner of said 24.38 acre tract, and the Southwest corner of a tract of 35.62 acres shown on said survey; thence with the center of said Boulevard or Road, North 83 deg. 15 min. West 100 feet to a point; thence leaving said Road, North 15 deg. 45 min. East 200 feet to a point; thence South 83 deg. 15 min. East 100 feet to the line between the above mentioned two tracts; thence with the line between said tracts South 5 deg. 45 min. West 200 feet to the point of beginning.

Being the same property conveyed to Michael D. Smith, Unmarried by Warranty Deed dated June

27, 2006, from Kittie L. Hendrickson, Unmarried of record by Instrument No. 20060628-0077449 in the Register's Office for Davidson County, Tennessee. Also being the same property conveyed to William H. Hendrickson and wife, Kittie L. Hendrickson by Warranty Deed dated November 17, 1978 from Nellie Sue Burks, unmarried, of record in Book 5365, Page 886, Register's Office for Davidson County, Tennessee. The said William H. Hendrickson having since died.

Being the same property conveyed to Michael D. Smith, unmarried by Warranty Deed recorded June 28, 2006 , as Instrument No. 20060628-0077449, Register's Office for Davidson County, Tennessee.

Commonly known as: 241 Ben Allen Road, Nashville, Tennessee 37207-3003.

Tax Parcel No.: 06100001600

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 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: 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 $86,367.00, 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.

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 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 LR this 8 day of April, 09.

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:
Department of Veterans Affairs
Regional Office
110 9th Avenue South
Nashville, Tennessee 37203

VA No. 202060539422

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 November 17, 2006, recorded November 28, 2006, as Instrument No. 20061128-0146703 in the Register's Office of Davidson County, Tennessee, executed by Michael D. Smith in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for America's Choice Mortgage and America's Choice 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 America's Choice Mortgage and America's Choice 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 8th 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. Peresko

Notary Public

My Commission Expires:

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

VA No. 202060539422
DServiceMembersAffidavitTN_mokere_090409_1041

Department of Defense Manpower Data Center FEB-24-2009 12:03:40

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

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