RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Phyllis Callahan and Ray Garrett

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

BILL GARRETT, Davidson County
Trans:T20090032084 DEEDTRS
Recvd: 05/15/09 08:13 5 pgs
Fees:27.00 Taxes:0.00
20090515-0044567

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 26, 2001 and recorded January 3, 2002, as Instrument No. 20020103-0000950 and re-recorded on February 2, 2002, as Instrument No. 20020220-0021517 in the Register's Office of Davidson County, Tennessee, Phyllis La' Don Garrett a/k/a Phyllis Garrett and Herbert Garrett a/k/a Ray Garrett conveyed to Dixie with Arnold M. Weiss, Attorney, as Trustee for Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc. 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 **GREG IVESTER** as Co-Trustee by instrument of record recorded on March 26, 2009 as Instrument No. 20090326-0027134 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 Countrywide Home Loans, Servicing LP, at and for the sum of $161,429.23, that being the highest and best bid offered;** and

WHEREAS, the said Countrywide Home Loans, Servicing LP 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 Countrywide Home Loans, Servicing LP 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 in Davidson County, Tennessee, to wit:

Land in Davidson County, Tennessee, being Lot Number 20 on the Plan of Peninsula Point Phase 3, Section 3, of record in Plat Book 11700, Page 32, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate legal description. Being a portion of the property conveyed to Phyllis L. Callahan and husband Herbert **Ray Garrett by deed dated 5/26/00 from Jerry Butler Builders, LLC, record in Instrument No.** 20000531-0054174, Register's Office, Davidson County, Tennessee.

Being the same property conveyed to Phyllis Callahan and Ray Garrett by Warranty Deed recorded May 31, 2000 , as Instrument No. 200005310054174, Register's Office for Davidson County, Tennessee.

Commonly known as: 3776 Waterford Way, Antioch, Tennessee 37013.

Tax Parcel No.: 137130A020.00

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 Successor Trustee has hereunto set his or her hand and seal this 10 day of April, 09.

Shellie Wallace
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 puposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 10 day of April, 09.

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

Notary Public

My Commission Expires: _____

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 $161,429.23, 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
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 such person executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in AR this 10 day of April, 09.

Notary Public

My Commission Expires: Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

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. 48330117090703

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 December 26, 2001, recorded January 3, 2002, as Instrument No. 20020103-0000950 and re-recorded on February 2, 2002, as Instrument No. 20020220-0021517 in the Register's Office of Davidson County, Tennessee, executed by Phyllis La' Don Garrett a/k/a Phyllis Garrett and Herbert Garrett a/k/a Ray Garrett in favor of Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc. successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc. successors and assigns.

2. Countrywide Home Loans, Servicing LP 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 10 day of April, 09.

Shellie Wallace

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 10 day of Apr, 09.

Notary Public

My Commission Expires: _____

FHA No. 48330117090703
DServiceMembersAffidavitTN_bboone_090408_1456

Notary Seal present,
but could not be reproduced.

Bill Garrett
Davidson County Register of Deeds

https://www.dmdc.osd.mil - Request for Military Status - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites

Department of Defense Manpower Data Center

FEB-03-2009 07:19:53

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

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

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

Done

Internet