**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Gregory C. Lurie**

**GRANTEE(s)**
**US Bank National Association, as Trustee for HEAT 2005-9**

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: T20090038560 DEEDTRS
Recvd: 06/10/09 08:38 5 pgs
Fees: 28.00 Taxes: 559.63
20090610-0053658

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated September 30, 2005 and recorded October 5, 2005, as Instrument No. 20051005-0119949 in the Register's Office of Davidson County, Tennessee, Gregory C Lurie conveyed to Settlement Services of Tennessee, LLC, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Ownit Mortgage Solutions, Inc., and Ownit Mortgage Solutions, Inc.'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 May 22, 2009 as Instrument No. 20090522-0047402 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 May 27, 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 US Bank National Association, as Trustee for HEAT 2005-9, at and for the sum of $151,251.00, 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 US Bank National Association, as Trustee for HEAT 2005-9 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 US Bank National Association, as Trustee for HEAT 2005-9, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot #106, on the Plan of Creekside Trails, Phase 4, of record in Instrument #20050405-0037383 Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate legal description. Recorded 4/5/05
>
> Being the same property conveyed to Gregory C. Lurie by Warranty Deed recorded October 5, 2005 , as Instrument No. 20051005-0119948, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 2332 Hockett Drive, Nashville, Tennessee 37218.
>
> Tax Parcel No.: 058090A11400CO

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 US Bank National Association, as Trustee for HEAT 2005-9, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 27th day of May, 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 27 day of May, 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 $151,251.00, 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 _____ this 27 day of May, 09.

Notary Public

My Commission Expires: _____

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
US Bank National Association, as Trustee for HEAT 2005-9
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 September 30, 2005, recorded October 5, 2005, as Instrument No. 20051005-0119949 in the Register's Office of Davidson County, Tennessee, executed by Gregory C Lurie in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Ownit Mortgage Solutions, Inc., and Ownit Mortgage Solutions, Inc.'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 Ownit Mortgage Solutions, Inc., and Ownit Mortgage Solutions, Inc.'s successors and assigns.

2. US Bank National Association, as Trustee for HEAT 2005-9 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 27th day of May, 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 27 day of May, 09.

Notary Public

My Commission Expires:

DSservicemembersAffidavitTN_mekere_090527_1356

Seal present,
be reproduced.

Bill Garrett
Davidson County Register

Department of Defense Manpower Data Center APR-15-2009 07:44:36

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

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