**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Kevin Scott**

**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:T20090041292 DEEDTRS
Recvd: 06/22/09 08:25 8 pgs
Fees:42.00 Taxes:0.00
20090622-0057580

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated June 9, 2006 and recorded June 12, 2006, as Instrument No. 20060612-0069775 in the Register's Office of Davidson County, Tennessee, Kevin Scott conveyed to FMLS, Inc., as Trustee for Mortgage Electronic Registration Systems, Inc. as a separate corporation acting solely as nominee for FMLS Inc. and FMLS 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 by instrument of record recorded on March 18, 2009 as Instrument No. 20090318-0024505 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 13, 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 Chase Home Finance LLC, at and for the sum of $102,627.68, that being the highest and best bid offered; and

WHEREAS, the said Chase Home Finance LLC 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 Chase Home Finance LLC 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:

The following described real estate situate, lying and being in the county of Davidson, State of Tennessee, to wit: Being a tract of land located in the 13th Civil District, known as 3707 John Mallette Drive (Formerly Known As 3707 Hydes Ferry Pike), containing .29 acres, more or less, according to a survey made by Ray G. Cole, Registered Land Surveyor, License Number 924, dated April 7, 1981 and described as follows: Beginning at an iron pin in the southerly margin of Hydes Ferry Pike, said pin being in the Northeastern corner of said Tract; thence South 19 degrees 02 minutes West 173.93 feet too an iron pin; thence North 16 degrees 14 minutes East 167.81 feet to an iron pin in the Southerly margin of Hydes Ferry Pike; thence along said Hydes Ferry Pike South 72 degrees 57 minutes East 80 feet to the point of beginning, containing 0.29 (prior deed erroneously states 3.29) acres more or less. Being the same property conveyed to the Grantors by deed which is being placed of record in instrument 20060612-0069774 in the Register's Office for Davidson County Tennessee.

Being the same property conveyed to Kevin Scott by Warranty Deed recorded June 12, 2006 , as Instrument No. 20060612-0069774, Register's Office for Davidson County, Tennessee.

Commonly known as: 3707 John Mallette Drive, Nashville, Tennessee 37218.

Tax Parcel No.: 069 16 0 094.00

The above-described property is conveyed subject to the rights of the United States of America to redeem the property as provided for in 26 U.S.C. §7425(d)(1).

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 13 day of May, 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 purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 13 day of May, 09.

Notary Public

My Commission Expires: MISTY M. SOBANSKI Notary Public-Arkansas Faulkner County My Commission Expires 06-03-2015

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 $102,627.68, 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 13 day of May, 09.

Notary Public

My Commission Expires: MISTY M. SOBANSKI Notary Public-Arkansas Faulkner County My Commission Expires 06-03-2015

**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. 4833654292703

# 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 June 9, 2006, recorded June 12, 2006, as Instrument No. 20060612-0069775 in the Register's Office of Davidson County, Tennessee, executed by Kevin Scott in favor of Mortgage Electronic Registration Systems, Inc. as a separate corporation acting solely as nominee for FMLS Inc. and FMLS 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 acting solely as nominee for FMLS Inc. and FMLS Inc.'s successors and assigns.

2. Chase Home Finance LLC 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 13 day of May, 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 13 day of May, 09.

Notary Public

My Commission Expires: _____

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

FHA No. 4833654292703
DServiceMembersAffidavitTN_bboone_090513_1319

Department of Defense Manpower Data Center FEB-20-2009 07:41:54

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

| Last Name | First/Middle | Begin Date | Active Duty Status | Service/Agency |
|---|---|---|---|---|
| SCOTTK | EVIN | 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.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: http://www.defenselink.mil/faq/pis/PC09SLDR.html

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID:**BLCFAKTEPLV***

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

May 7, 2009

Wilson & Associates, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211

Dear Ms. Wallace:

This is to acknowledge receipt of your correspondence dated April 8, 2009 regarding Kevin M. Scott, 3707 John Mallette Drive, Nashville, Tennessee 37218, TIN XXX-XX-2795. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986.

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown below.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487, by calling 1-800-TAX-FORM. A payment may be required to secure a release.

**We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.**

**If you have any questions, please contact James Kelley, badge number 62-09529, telephone number, (615)250-5403, fax to (615)250-6008, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.**

Sincerely,

L Dunn

Leticia Dunn
Technical Services Group Manager

Enclosure

**FAX TO: JAMES KELLY, 615-250-6008**

REPORT OF SALE

Kevin M. Scott
3707 John Mallette Drive, Nashville, Tennessee 37218
XXX-XX-2795

Date Sale Held: 5/13/09 Sale Price: $ 102,627.68

Purchaser's Name and Address: Chase Home Finance LLC
3415 Vision Dr.
Columbus, OH 43219

Payoff Amount of Foreclosing Instrument: $ 102,627.68

Detail Expenses Charged to the Sale: attached

Will You Seek a Deficiency Judgment? YES NO unknown

Amount of Judgment Obtainable: _____

Judgment Recording Place: _____

Volume: _____ Page: _____

*"Under penalty of perjury, I declare this information true, correct and complete."*

5/13/09 Bettye Boone
Date Signature

**MAIL TO:**
**INTERNAL REVENUE SERVICE**
**AREA DIRECTOR COMPLIANCE**
**ATTN: TECHNICAL SERVICES**
**801 BROADWAY, MDP 53**
**NASHVILLE, TN 37203**

DETAILS OF EXPENSES CHARGED TO FORECLOSURE:

| | |
|---|---|
| Principal | $ 90,452.49 |
| Interest | $ 6859.31 |
| Late charges | $ 213.96 |
| Escrow Advance | $ 1165.68 |
| NSF Fee | $ |
| Appraisal/BPO | $ |
| Other | $ 70.00 |
| | |
| | |
| Attorney's Fees/costs | $ 3866.24 |
| TOTAL | $ 102,627.68 |