**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Victor Waller**

**GRANTEE(s)**
**Les Lazarus**

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:T20090041545 DEEDTRS
Recvd: 06/22/09 14:34 5 pgs
Fees:28.00 Taxes:111.00
20090622-0058021

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated November 12, 2007 and recorded November 14, 2007, as Instrument No. 20071114-0133230 in the Register's Office of Davidson County, Tennessee, Victor Waller conveyed to B Adkins, as Trustee for Citifinancial Services, Inc., 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 May 28, 2009 as Instrument No. 20090528-0048754 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 June 17, 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 Les Lazarus, at and for the sum of $19,370.00, 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 Les Lazarus 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 Les Lazarus, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

A tract or parcel of land in Davidson County, Tennessee Described as follows: Land in Davidson, County, Tennessee, being parts of Lots Nos. 42 and 44, on the map of Haleys Subdivision of part of Block 5, in G.T. Sheegogs Subdivision at Bordeaux as of Record in Book 547, Page 155, Registers Office for said County, Being the Southerly 30 feet of Lot No. 43 and the Northerly 35 feet of Lot No. 44 on the Revised Map of Haleys Subdivision of Part of Block No. 5 in G. T. Sheegogs Subdivision, not of record described according to a survey made by Blanchard and Parrish, surveyors, May 5, 1937, as follows: Beginning on the Easterly margin of Haley Avenue at a point 150.2 feet, more or less, South of the Southerly margin of River Drive, said point being the Southeast corner of the property conveyed to Alma Alessio by Deed from Alve Haley of Record in Book 1097, Page 317, said Register's Office; thence Westwardly and parallel with the dividing line between Lots 43 and 44 on said revised plan, 150 feet; thence Northwardly 65 feet to said Alessios Southwest corner; thence with her Southerly line, Eastwardly 150 feet to the beginning.

Being the same property conveyed to Victor Waller by Quitclaim deed recorded May 31, 2007 , as Instrument No. 20070531-0064656, Register's Office for Davidson County, Tennessee.

Commonly known as: 1913 Hailey Avenue, Nashville, Tennessee 37218.

Tax Parcel No.: 08101000400

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 Les Lazarus, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 17 day of June, 09.

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 17 day of June, 09.

Notary Public

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

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 $$19,370.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Les Lazarus

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, _____, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in _____ this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Les Lazarus
915 Lewisburg Park
Franklin, TN 37064

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $30,000

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 22 DAY OF June 20 09

Deputy Register

# 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 12, 2007, recorded November 14, 2007, as Instrument No. 20071114-0133230 in the Register's Office of Davidson County, Tennessee, executed by Victor Waller in favor of Citifinancial Services, Inc. to secure the payment of a deed of trust note to Citifinancial Services, Inc..

2. Citifinancial Inc., a Tennessee Corporation 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 17 day of June, 09.

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 17 day of June, 2017.

Notary Public

My Commission Expires: _____

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

DServiceMembersAffidavitTN_jdean_090617_1453

Department of Defense Manpower Data Center MAR-26-2009 15:08:54

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

| Last Name | First/Middle | Begin Date | Active Duty Status | Service/Agency |
|---|---|---|---|---|
| WALLER | VICTOR | | 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