BILL GARRETT, Davidson County
Trans:T20090042542 DEEDTRS
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Prepared by and Return to:
Laura A Grifka/ccollymore 10/16/2008
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

# SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 08-20383 /Mack W. Sain and Patricia A. Sain

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated June 5, 1998, and recorded in the Register's Office of Davidson County, Tennessee, on June 11, 1998 at Deed Book 10972, Page 731, ("Deed of Trust"), Mack W. Sain and Patricia A. Sain conveyed to Stephen R. Josleyn, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to GMAC Mortgage, LLC; and

WHEREAS, GMAC Mortgage, LLC, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 200809300099016, 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 requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 09/26, 10/03, 10/10, in The Nashville Record – Davidson. The sale was held on October 16, 2008, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale GMAC Mortgage, LLC, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $80,594.68; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to Department of Housing and Urban Development, its successors and assigns;

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by GMAC Mortgage, LLC as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Laura A. Grifka, as Substitute Trustee, does hereby grant, bargain, sell and convey unto Department of Housing and Urban Development, its successors and assigns, in fee simple forever, the following described property, to-wit:

**FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF**

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said Department of Housing and Urban Development, its successors and assigns, forever, to whom the said, Laura A. Grifka, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, Laura A Grifka, has hereunto executed, on October 16, 2008.

Laura A Grifka
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On October 16, 2008, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Laura Grifka, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the foregoing instrument for the purposes contained therein.

WITNESS my hand and Notarial Seal the day and year above written.

Notary Public

PATRICIA A. TAGGART NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES JULY 25, 2010

My Commission Expires: 7/25/10
**GOVERNMENT ENTITY – NO TAX REQUIRED**

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STATE OF GEORGIA
COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $80,594.68, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me on October 16, 2008.

Notary Public

PATRICIA A. TAGGART NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES JULY 25, 2010

Mail Tax Notices to and Property Owner:
Secretary, Department of Housing & Urban Development of Washington DC
Department of Housing and Urban Development
Richard B. Russell Federal Bldg.
75 Spring Street
Atlanta, GA 30303

**Map & Parcel No.: 07207029800**
**Property Address: 1409 Oakhurst Drive**
**Nashville, TN 37216**

**Exhibit "A"**

Located in Nashville, County of Davidson, State of Tennessee, to wit: Being the Easterly part of Lot No. 26 on the Map showing subdivision of the Waters Place on Maxey Lane, as shown on plat of record in Plat Book 332, Pages 136 and 137, in the Registers Office of Davidson County, Tennessee, described as follows:

Beginning at a point on the Northerly side of Oakhurst Avenue, the intersection with the Easterly margin of a 12-foot alley, the Southwest corner of the said lot; thence in a Northwesterly direction, with the Easterly margin of the said alley; 31 feet, more or less, to a point on the said alley 100 feet Westerly from the Easterly line of the said lot; thence Northerly and parallel with the Easterly line of the said lot, 125 feet, more or less, to another 12-foot alley; thence Easterly with the Southerly margin of said last mentioned alley, 100 feet to the Northeast corner of the said Lot No. 26, being the Northwest corner of Lot No. 27, on said plan; thence Southerly, with the line between said Lots No. 26 and 27, 150 feet to Oakhurst Avenue, thence Westerly, with the Northerly side of Oakhurst Avenue 77.9 feet to the beginning.

Being the same property conveyed to Mack W. Sain and Patricia A. Sain by Deed recorded in Book 10972, Page 727 in the Registers Office of said County.