RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Donald R. Abercrombie

GRANTEE(s)
Fifth Third Mortgage Company

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:T20090060293 DEEDTRS
Recvd: 09/02/09 12:51 5 pgs
Fees:28.00 Taxes:769.60
20090902-0082463

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated February 28, 2005 and recorded March 8, 2005, as Instrument No. 20050308-0025221 in the Register's Office of Davidson County, Tennessee, Donald Raye Abercrombie conveyed to J. Trent Lehman, as Trustee for Fifth Third Mortgage Company, 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 **MARIA NEUMANN** as Co-Trustee by instrument of record recorded on July 9, 2009 as Instrument No. 20090709-0064272 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; announcing the scheduled sale date of July 29, 2009; and on said date the sale was announced to be postponed to August 26, 2009; said advertisement began on July 2, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on August 26, 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 Fifth Third Mortgage Company, at and for the sum of $208,000.00, 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 Fifth Third Mortgage Company 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 Fifth Third Mortgage Company, 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 No. 27 on the Plan of Phase II Hearthstone Manor, as of record in Plat Book 6200, Page 144, amended in Plat Book 6250, Page 492, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Donald R. Abercrombie by Quitclaim deed recorded February 15, 2005 , as Instrument No. 20050215-0017330, Register's Office for Davidson County, Tennessee.

Commonly known as: 124 Hearthstone Manor Circle, Brentwood, Tennessee 37027.

Tax Parcel No.: 160 15 0A 027.00

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 Fifth Third Mortgage Company, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 26 day of Aug, 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 26 day of Aug, 2009.

Notary Public

My Commission Expires:

MATTHEW D. MARTIN
Notary Public-Arkansas
Pulaski County
My Commission Expires 06-15-2019
Commission # 12371725

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 $208,000.00, 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 LR this 26 day of Aug, 2009.

Notary Public

My Commission Expires:

MATTHEW D. MARTIN
Notary Public-Arkansas
Pulaski County
My Commission Expires 06-15-2019
Commission # 12371725

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Fifth Third Mortgage Company
Madisonville Operations Center
5050 Kingsley Drive, Mail Code MD 1MOC20
Cincinnati, OH 45263

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 February 28, 2005, recorded March 8, 2005, as Instrument No. 20050308-0025221 in the Register's Office of Davidson County, Tennessee, executed by Donald Raye Abercrombie in favor of Fifth Third Mortgage Company to secure the payment of a deed of trust note to Fifth Third Mortgage Company.

2. Fifth Third Mortgage Company 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 24 day of Aug, 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 24 day of Aug, 2009.

Notary Public

My Commission Expires:

MATTHEW D. MARTIN
Notary Public-Arkansas
Pulaski County
My Commission Expires 06-15-2019
Commission # 12371725

DServiceMembersAffidavitTN_chood_090826_1255

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

File Edit View Favorites Tools Help

Back Search Favorites

Department of Defense Manpower Data Center

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	S
ABERCROMBIE	DONALD	Based on the information you have furnished, the DMDC does not possess any inform currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the informati 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 System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility sys

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. § Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any inform currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, o representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the S obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink. evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the S

Done

start