**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Dupane Phavongsay and Dominique Martinez**

**GRANTEE(s)**
**Federal National Mortgage Association**

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:T20090061285 DEEDTRS
Recvd: 09/08/09 08:35 6 pgs
Fees:32.00 Taxes:0.00
20090908-0083715

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated August 15, 2005 and recorded August 23, 2005, as Instrument No. 20050823-0100081 in the Register's Office of Davidson County, Tennessee, Dupane Phavongsay and Dominique Martinez conveyed to Michael J. Philbin, as Trustee for Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Beazer Mortgage Corporation and Beazer Mortgage Corporation'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 August 14, 2009 as Instrument No. 20090814-0076433 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; said advertisement began on August 6, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on September 2, 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 CitiMortgage, Inc., at and for the sum of $109,257.87, that being the highest and best bid offered; and

WHEREAS, the said CitiMortgage, Inc. has assigned its interest in said property to the Federal National Mortgage Association, its successors and 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 CitiMortgage, Inc. 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 Federal National Mortgage Association, 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 Unit No. 113 on the plan of Townhomes of Shadow Glen as shown on the exhibit to the Declaration of Covenants, Conditions and Restrictions of record in Instrument No. 20040315-0029248; Instrument No. 20040317-0030572; Instrument No. 20040713-0083179; Instrument No. 20040720-0086706; Instrument No. 20040720-0086707, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Dupane Phavongsay and Dominique Martinez, husband and wife by Warranty Deed recorded August 23, 2005 , as Instrument No. 20050823-0100080, Register's Office for Davidson County, Tennessee.

Commonly known as: 5845 Nolensville Pike #308, Nashville, Tennessee 37211.

Tax Parcel No.: 161 160A 113.00

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 the Federal National Mortgage Association, its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 2 day of Sept, 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 2 day of Sept, 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 $109,257.87, 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
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 2 day of Sept, 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:**
Fannie Mae
P.O. Box 650043
Dallas, TX 75265-0043

# 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 August 15, 2005, recorded August 23, 2005, as Instrument No. 20050823-0100081 in the Register's Office of Davidson County, Tennessee, executed by Dupane Phavongsay and Dominique Martinez in favor of Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Beazer Mortgage Corporation and Beazer Mortgage Corporation's successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Beazer Mortgage Corporation and Beazer Mortgage Corporation's successors and assigns.

2. CitiMortgage, Inc. 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 2 day of Sept, 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.

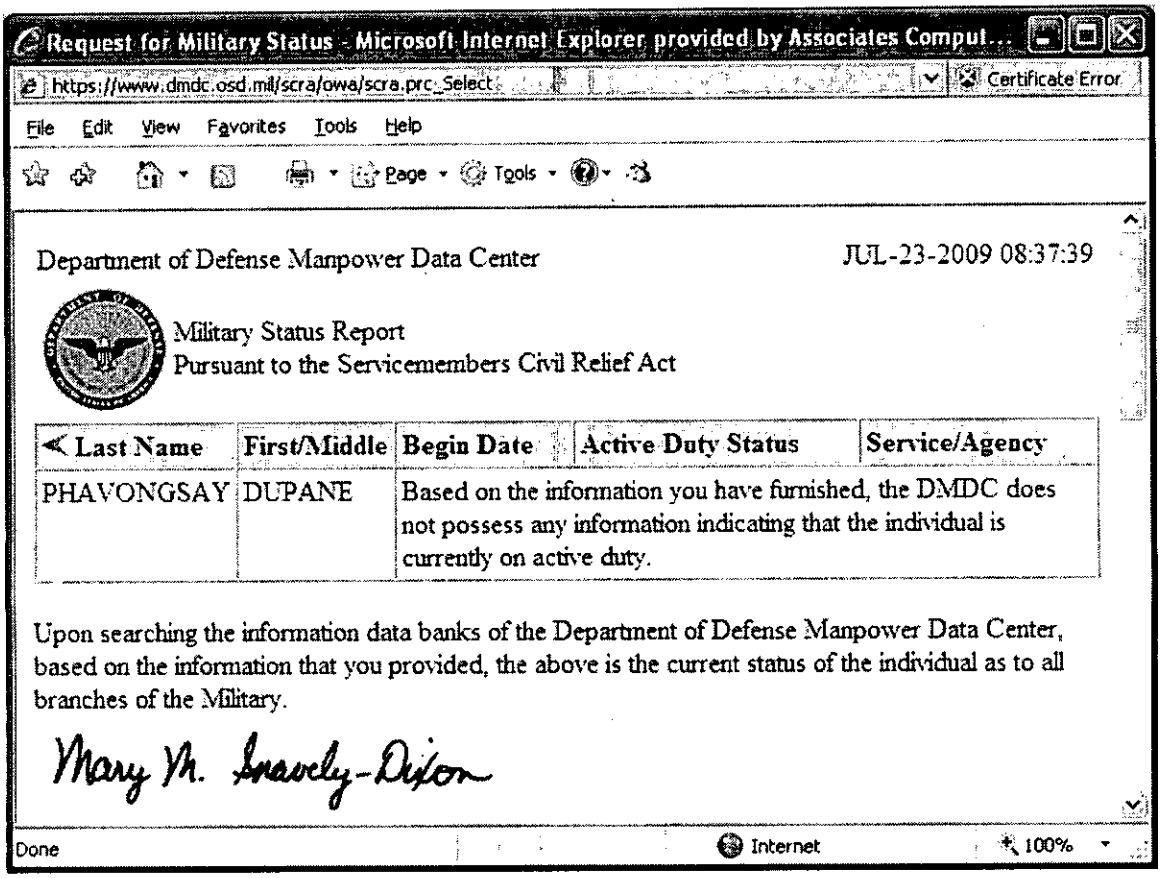
Witness my hand and seal at office in Little Rock, Arkansas this 2 day of Sept, 09.

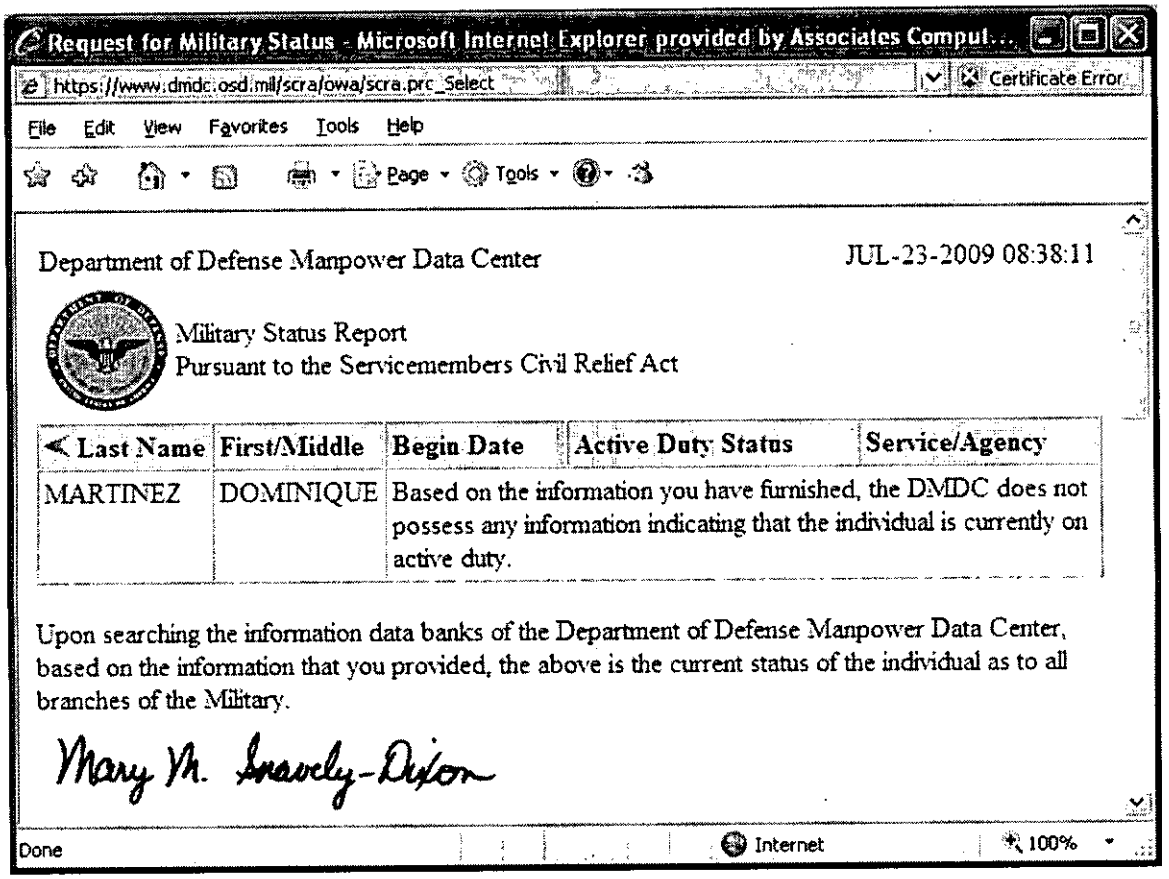
Notary Public

My Commission Expires: _____

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

DServiceMembersAffidavitTN_jdean_090902_1111


Request for Military Status - Microsoft Internet Explorer provided by Associates Comput...
https://www.dmdc.osd.mil/scra/owa/scra.prc_Select
Certificate Error
File Edit View Favorites Tools Help
Page Tools
Department of Defense Manpower Data Center
JUL-23-2009 08:37:39
Military Status Report
Pursuant to the Servicemembers Civil Relief Act
Last Name
First/Middle
Begin Date
Active Duty Status
Service/Agency
PHAVONGSAY
DUPANE
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
Done
Internet
100%


Request for Military Status - Microsoft Internet Explorer provided by Associates Comput...
https://www.dmdc.osd.mil/scra/owa/scra.prc_Select
Certificate Error
File Edit View Favorites Tools Help
Page Tools
Department of Defense Manpower Data Center
JUL-23-2009 08:38:11
Military Status Report
Pursuant to the Servicemembers Civil Relief Act
Last Name
First/Middle
Begin Date
Active Duty Status
Service/Agency
MARTINEZ
DOMINIQUE
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
Done
Internet
100%