FILE NO.: 432.0813201TN\P

BILL GARRETT, Davidson County
Trans:T20090063424 DEEDTRS
Recvd: 09/16/09 13:19 2 pgs
Fees:13.00 Taxes:605.41
20090916-0086479

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Nationwide Trustee Services, Inc.
1587 N.E. Expressway
Atlanta, GA 30329

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 14, 2006 and recorded in the Register's Office of Davidson County, TN, at Instrument Number 200611170142977, ("Deed of Trust")Marta Garner and Charles Garner conveyed to Arnold M. Weiss, Attorney, 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, **Bank of New York,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument Number 200907220068656** in the Register's Office of Davidson County, TN; 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 TN and the terms and provisions of said Deed of Trust on 07/10/09, 07/17/09, 07/24/09, in THE NASHVILLE RECORD, by which advertisement the sale was held on August 06, 2009, at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Phil Young, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Bank of New York**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $163,625.00; and

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 Bank of New York as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Nationwide Trustee Services, Inc.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Bank of New York**, its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Exhibit "A" Land in Davidson County, Tennessee, being Lot 115 on the plan of Lakeside Cove at Percy Priest, Phase 2 of record in Instrument No. 20051102-0132676, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a complete and accurate description thereof. Being the same property conveyed to Marta Garner and husband, Charles Garner by deed from Centex Homes, a Nevada General Partnership of record in Instrument No. 20061117-0142976 Register's Office for Davidson County, Tennessee.

The last recorded Warranty Deed was filed of record at Instrument Number 200611170142967 in the Register's Office of Davidson County, TN.

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 **Bank of New York**, its successors and assigns forever, to whom the said, **Nationwide Trustee Services, Inc.**, 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, **Nationwide Trustee Services, Inc.**, Substitute Trustee, has hereunto set his hand, this 06th day of August, 2009.

Nationwide Trustee Services, Inc.
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 06th day of August, 2009, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Germaine Duncan, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Nationwide Trustee Services, Inc.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the corporation by himself or herself as such officer or member.

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

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC Exp. Nov. 28, 2010 GWINNETT COUNTY, GA

My Commission Expires: 11-28-2010

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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 $163,625.00, 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 THIS 06TH DAY OF AUGUST 2009.

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC Exp. Nov. 28, 2010 GWINNETT COUNTY, GA

My Commission Expires: 11-28-2010

File No.: 432.0813201TN (Garner)
Property Address: 5377 Skip Jack Drive, Antioch, TN 37013
Tax Parcel ID No.: 151-09-0B-118

Mail Tax Notices To and Property Owner:

BAC Home Loans Servicing, L.P.
P. O. Box 10232
Simi Valley, CA 93065