RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Shane Eric Black

GRANTEE(s)
WATERFALL VICTORIA REO,LLC

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:T20090064228 DEEDTRS
Recvd: 09/21/09 09:22 5 pgs
Fees:28.00 Taxes:370.00
20090921-0087567

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated July 8, 2005 and recorded August 1, 2005, as Instrument No. 20050801-0089670 in the Register's Office of Davidson County, Tennessee, Shane Eric Black and Jennifer Black conveyed to Fearnley and Califf, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Fremont Investment & Loan and Fremont Investment & Loan'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 and **MARIA NEUMANN** as Co-Trustee by instrument of record recorded on August 19, 2009 as Instrument No. 20090819-0078205 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 13, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on September 9, 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 Waterfall Victoria Master Fund Limited, at and for the sum of $100,000.00, that being the highest and best bid offered; and

WHEREAS, the said Waterfall Victoria Master Fund Limited has assigned its interest in said property to WATERFALL VICTORIA REO,LLC, 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 Waterfall Victoria Master Fund Limited 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 WATERFALL VICTORIA REO,LLC, 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 Number 9 of Block E, on the Plan of Broadmoor, as of record in Book 547, Page 161, Registers Office for Said County, to which plan reference is here made for a more particular description of said lot.

Said Lot Number 9 fronts 50 feet on the North side of Gwynn Drive and runs back between parallel lines along the east margin of Redwood Street, 150 feet to a dead line.

And land in Davidson County, Tennessee, being the Easterly 20 feet of Redwood Street as shown on the Plan of Broadmoor as of record in Book 547, Pages 161-162, Registers Office for Davidson County, Tennessee, said strip of land fronts 20 feet on Gwynn Drive and runs, thence, Northerly 150 feet with the Westerly line of Lot No. 9, Block E, of said plan.

Being the same property conveyed to Shane Eric Black by Warranty Deed recorded August 1, 2005, as Instrument No. 20050801-0089669, Register's Office for Davidson County, Tennessee.

Commonly known as: 901 Gwynn Drive, Nashville, Tennessee 37216.

Tax Parcel No.: 061 07 0 118.00

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 WATERFALL VICTORIA REO,LLC, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 9 day of Sept, 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 9 day of Sept, 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 $100,000.00, 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 9 day of Sept, 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:
WATERFALL VICTORIA REO,LLC
3637 Sentara Way
Suite 303
Virginia Beach, VA 23452

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 July 8, 2005, recorded August 1, 2005, as Instrument No. 20050801-0089670 in the Register's Office of Davidson County, Tennessee, executed by Shane Eric Black and Jennifer Black in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Fremont Investment & Loan and Fremont Investment & Loan's successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Fremont Investment & Loan and Fremont Investment & Loan's successors and assigns.

2. Waterfall Victoria Master Fund Limited 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 9 day of Sept, 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 9 day of Sept, 2009.

Notary Public

My Commission Expires:

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

DServiceMembersAffidavitTN_chood_090909_1408

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

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	Se
BLACK	SHANE	Based on the information you have furnished, the DMDC does not possess any informatic currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the informatic 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