**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Steven Bruninga**

**GRANTEE(s)**
**Prosser Properties**

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:T20090072262 DEEDTRS
Recvd: 10/23/09 12:01 5 pgs
Fees:28.00 Taxes:248.64
20091023-0098143

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated May 31, 2005 and recorded June 3, 2005, as Instrument No. 20050603-0063412 in the Register's Office of Davidson County, Tennessee, Steven Bruninga conveyed to Sidwell Title Agency, as Trustee for New Century Mortgage Corporation, 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 October 13, 2009 as Instrument No. 20091013-0094826 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 September 28, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on October 21, 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 Prosser Properties, at and for the sum of $67,200.00, 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 Prosser Properties 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 Prosser Properties, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being Unit Number 25, on the plan of a Horizontal Property Regime Plat, Nashboro Village-Tract 13, of record in Instrument Number 20021230-0161681 of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description of said lot.
>
> Being the same property conveyed to Steven Bruninga by Warranty Deed recorded June 3, 2005 , as Instrument No. 20050603-0063411, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 1949 Nashboro Boulevard, Nashville, Tennessee 37217.
>
> Tax Parcel No.: 135 12C 025.00

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 Prosser Properties, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 21 day of Oct, 09.

Shellie Wallace

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 21 day of Oct, 09.

Melissa G. Peresko

Notary Public

My Commission Expires: MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

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 $$67,200.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Prosser Properties

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, _____, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in _____ this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Prosser Properties
126 Jacksonian Drive
Hermitage, TN. 37076

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 67,200

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 23rd DAY OF Oct 20 09

Deputy Register

# 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 May 31, 2005, recorded June 3, 2005, as Instrument No. 20050603-0063412 in the Register's Office of Davidson County, Tennessee, executed by Steven Bruninga in favor of New Century Mortgage Corporation to secure the payment of a deed of trust note to New Century Mortgage Corporation.

2. Wells Fargo Bank National Association, as Trustee for MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5 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 21 day of Oct, 09.

Shellie Wallace

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 21 day of Oct, 09.

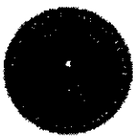
Melissa G. Peresko
Notary Public

My Commission Expires:

MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

DServiceMembersAffidavitTN_bboone_091021_1340

Department of Defense Manpower Data Center OCT-21-2009 07:44:20



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

| Last Name | First/Middle | Begin Date | Active Duty Status | Service/Agency |
|---|---|---|---|---|
| BRUNINGA | STEVEN | 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

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 Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: http://www.defenselink.mil/faq/pis/PC09SLDR.html

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID:**BWVXZWYXMQZ***