RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Stephen Kirtley

GRANTEE(s)
The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns

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:T20090072395 DEEDTRS
Recvd: 10/26/09 08:57 5 pgs
Fees:27.00 Taxes:0.00
20091026-0098372

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated September 14, 2007 and recorded October 11, 2007, as Instrument No. 20071011-0121025 in the Register's Office of Davidson County, Tennessee, Stephen W Kirtley and Rachel Ann Kirtley conveyed to Arnold M. Weiss, Esq., 208 Adams Avenue, Memphis, TN 38103, as Trustee for Wells Fargo Bank, N.A., 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 **Matthew Smith** as Co-Trustee by instrument of record recorded on September 28, 2009 as Instrument No. 200909280089515 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 17, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on October 14, 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 Wells Fargo Bank, NA, at and for the sum of $95,180.00, that being the highest and best bid offered; and

WHEREAS, the said Wells Fargo Bank, NA has assigned its interest in said property to The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or 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 Wells Fargo Bank, NA 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 Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or 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. 298 on the Plan of Cherry Hills, Section 6, as shown on plat of record in Plat Book 4300, Page 176, in the Register's Office of Davidson, Tennessee, to which plat reference is hereby made for a more particular description of said lot.
>
> Being the same property conveyed to Stephen Kirtley, married by Warranty Deed recorded October 11, 2007 , as Instrument No. 20071011-0121024, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 2937 Cherry Hills Drive, Antioch, Tennessee 37013.
>
> Tax Parcel No.: 15001028500

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 Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this

14th day of October, 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 14 day of Oct, 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 $95,180.00, 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 he or she executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in AR this 14 day of Oct, 09.

Notary Public

My Commission Expires: _____

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Department of Veterans Affairs
Regional Office
110 9th Avenue South
Nashville, Tennessee 37203

VA No. 202060544338

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

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 September 14, 2007, recorded October 11, 2007, as Instrument No. 20071011-0121025 in the Register's Office of Davidson County, Tennessee, executed by Stephen W Kirtley and Rachel Ann Kirtley in favor of Wells Fargo Bank, N.A. to secure the payment of a deed of trust note to Wells Fargo Bank, N.A..

2. Wells Fargo Bank, NA 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 14th day of Oct Sep, 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 14 day of Oct, 09.

Notary Public

My Commission Expires: _____

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

VA No. 202060544338
DServiceMembersAffidavitTN_mokere_091014_1419

Department of Defense Manpower Data Center SEP-02-2009 09:20:10

Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
KIRTLEY	STEPHEN	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		