BILL GARRETT, Davidson County
Trans:T20090077394 DEEDTRS
Recvd: 11/13/09 10:47 3 pgs
Fees:17.00 Taxes:0.00
20091113-0104723

TENNESSEE/FHA
MAP: #164/16/A/101-CO

LUIS RODRIGUEZ
MIDLAND: #52682238
FHA: #4833296378703

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, by DEED OF TRUST DATED JUNE 24, 2003, AND RECORDED IN REGISTER'S INSTRUMENT: #20030707-0093089, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, LUIS C. RODRIGUEZ, JOINED BY HIS WIFE, ELBA E. TORRES, CONVEYED TO LENDERS TITLE AND ESCROW TRUSTEE(S), 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 appointed the undersigned as Substitute Trustee by instrument of record in REGISTER'S INSTRUMENT: # #20091012-0094481, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust by which advertisement the sale was appointed to be held on October 13, 2009, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Sommet Center F/K/A Gaylord Entertainment Center of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 MIDFIRST BANK, a corporation, at and for the sum of ONE HUNDRED TWENTY FOUR THOUSAND ONE HUNDRED SEVENTY DOLLARS AND00/100 , that being the highest and best bid offered; and,

WHEREAS, the said MIDFIRST BANK has assigned its interests in the said property to THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C., his successors and assigns; and,

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by MIDFIRST BANK of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C., his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to-wit:

BEING LOT: #65 ON THE PLAN OF MEADOW WOODS, SECTION: #4, AS OF RECORD AT INSTRUMENT: #20010605-0058115, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

LUIS C. RODRIGUEZ, MARRIED, HIS HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in REGISTER'S INSTRUMENT: #20020411-0044854, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

**PROPER NOTICE OF THIS SALE HAS BEEN GIVEN TO THE INTERNAL REVENUE SERVICE AND THIS SALE IS MADE SUBJECT TO THE REDEMPTION RIGHTS OF THE INTERNAL REVENUE SERVICE.**

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C., his successors and assigns, in fee simple forever, to whom the said ARNOLD M. WEISS, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

The said Substitute Trustee has applied the consideration as follows:

| | |
|---|---|
| RECORDING APPOINTMENT OF SUBSTITUTE TRUSTEE | 12.00 |
| PUBLICATION EXPENSE | 322.00 |
| ATTORNEY'S FEES AND TRUSTEES FEES | 600.00 |
| CREDIT ON NOTE | 123,236.00 |
| | $124,170.00 |

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said ARNOLD M. WEISS, Substitute Trustee, on October 13, 2009 has hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On October 13, 2009, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared ARNOLD M. WEISS, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

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

NOTARY PUBLIC

My Commission Expires: 8-22-2012

BRENDA L. DOYLE STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

My Comm. Exp. 8-22-2012

NO TAX

PROPERTY ADDRESS
1604 SOULSHINE PLACE
ANTIOCH, TENNESSEE 37013

PROPERTY OWNER AND
AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
DEPARTMENT OF HUD
C/O PYRAMID REAL ESTATE SERVICES
616 MARRIOTT DRIVE, SUITE 300
NASHVILLE, TENNESSEE 37214

**RETURN TO:**
THIS INSTRUMENT PREPARED BY:
WEISS SPICER, PLLC
ATTORNEYS AT LAW
208 ADAMS AVENUE
MEMPHIS, TENNESSEE 38103-1991
901-526-8296

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$*******EXEMPT********EXEMPT********EXEMPT********
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, October 13, 2009
NOTARY PUBLIC
MY COMMISSION EXPIRES 8-22-2012

BRENDA L. DOYLE STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

My Comm. Exp. 8-22-2012

# WEISS SPICER CASH, PLLC
ATTORNEYS AT LAW

ARNOLD M. WEISS
VALERIE ANN SPICER
ELIZABETH ANN CASH

208 ADAMS AVENUE
MEMPHIS, TN 38103-1991


2009 SEP 15 PM 1:00


TELEPHONE: 901-526-8296
FACSIMILE: 901-526-3061
WEB: WWW.WEISS-SPICER.COM

MEMBER FANNIE MAE
RETAINED ATTORNEY NETWORK


September 9, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
District Director of the Internal Revenue Service
801 Broadway MDP53
Nashville, TN 37203

ATTN: Chief, Special Procedures Staff

Re: Serial # 380813107
Luis Rodriguez (wife, Elba Torres)
1604 Soulshine Place
Antioch, TN 37013
Loan #52682238
FHA Case #4833296378703

Dear Sir:

We represent Midfirst Bank the owner and holder of a first deed of trust covering the property municipally described in the above caption. A xerox copy of the instrument which, as you will notice, is of record in Register's Instrument Number 20030707-0093089, Davidson County Register's Office, is enclosed. The indebtedness secured by the deed of trust is in default and, accordingly, consistent with the terms and conditions of the instrument, the principal balance and interest due have been accelerated and the foreclosure sale is scheduled for October 13, 2009 at 12:00 PM at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Sommet Center F/K/A Gaylord Entertainment Center, **Nashville, Davidson County, Tennessee**, at which time the property will be sold at the public outcry to the highest and best bidder for cash. The principal balance of our client's debt is $116,123.20, plus interest at the rate of 5.5000% per annum from February 1, 2009 and the foreclosure fees and expenses incurred.

A xerox copy of your form 668 of record in Instrument Number 20070806-0093512, Register's Office of Davidson County, Tennessee, is enclosed.

Yours very truly,

Arnold M. Weiss

ARNOLD M. WEISS

AMW:an