BILL GARRETT, Davidson County
Trans:T20090083061 DEEDTRS
Recvd: 12/09/09 09:44 5 pgs
Fees:28.00 Taxes:632.70
20091209-0112428

Prepared by and Return to:
Patrick Taggart/ccollymore 12/03/2009
McCurdy & Candler, L.L.C.
250 East Ponce DeLeon Avenue, Suite 600
Decatur, GA 30030

SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 09-24245 /Jody M. Hodges and Patricia Hodges

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated August 19, 2004, and recorded in the Register's Office of Davidson County, Tennessee, on October 15, 2004 at Instrument No. 200410150124298, ("Deed of Trust"), Jody M. Hodges and Patricia Hodges conveyed to Peter C. Ensign, Trustee, 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, the beneficial interest of said Deed of Trust was last transferred and assigned to Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 200911100103927, 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 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 The Nashville Record - Davidson in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 11/6/2009, 11/13/2009, and 11/20/2009. The sale was held on December 3, 2009, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Frank Russell, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $171,000.00; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to Frank Russell, his successors and assigns;

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;

WHEREAS, this sale shall be subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record at Instrument No. 200803130025190 and Instrument No. 200801170005181 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

NOW, THEREFORE, in consideration of the premises and of the payment by Frank Russell as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Patrick A. Taggart, as Substitute Trustee, does hereby grant, bargain, sell and convey unto Frank Russell, his successors and assigns, in fee simple forever, the following described property, to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF

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 Frank Russell, his successors and assigns, forever, to whom the said, Patrick A. Taggart, 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, Patrick Taggart, has hereunto executed, on December 3, 2009.

Patrick Taggart
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On December 3, 2009, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Patrick A. Taggart, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the foregoing instrument for the purposes contained therein.

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

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Notary Public

My Commission Expires:

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 $171,000.00, 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 December 3, 2009.

Notary Public

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Mail Tax Notices to and Property Owner:
Frank Russell
1112 Deer Run Rd.
Murfreesboro, TN 37128

Map & Parcel No.: 173 09 0A 023.00
Property Address: 7112 Lenox Village Drive
Nashville, TN 37211

Exhibit "A"

Being Lot No. 21 on the Plan of Section One, Lenox Village of record in Instrument No. 20020319-0033866, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Neel N. Gandhi, individually, and Manish R. Patel by Deed from NVR, Inc. t/a Ryan Homes, a Virginia Corporation, of record dated August 23, 2002 and recorded August 29, 2002 in Instrument No. 20020829-0104621, Registers Office for Davidson County, Tennessee.

Map-Parcel No. 173-09-0-A-23

Also being the same property conveyed to Jody M. Hodges and wife, Patricia G. Hodges, by Warranty Deed recorded in Instrument No. 20041015-0124297 in the Registers Office of said County.

LAW OFFICES
McCURDY & CANDLER, L.L.C.

SUITE 600
250 EAST PONCE DE LEON AVENUE
DECATUR, GEORGIA 30030

JULIUS A. McCURDY (1903 - 1993)
SCOTT CANDLER, JR. (1926 - 1994)
J. ROBIN HARRIS (1925 - 1989)

MAILING ADDRESS:

Post Office Box 57
Decatur, Georgia 30031

TELEPHONE: 404-373-1612
MAIN TELECOPIER: 404-370-7232

WEBSITE: WWW.MCCURDYCANDLER.COM

JOHN WALTER DRAKE
ALAN E. RAUBER
JOHN C. SAMMON
ANTHONY DEMARLO
SCOTT CANDLER, III
CLARK E. CANDLER
EDNA E. HAWES
SIDNEY A. GELERNTER*
DONALD C. SUESSMITH, JR.
J. MICHAEL DUGAN*
CHRISTIE B. HENNINGS
DEBORAH Y. CHANDLER
FRANK R. OLSON*
A. BRETT VERNER
LAURA A. GRIFKA*
C. ELIZABETH JONES
PATRICK N. TAGGART*
JOHN D. ANDRLE
C. ERIC BURKETT
JESSICA A. PRICE
CHRISTINA J. SOLOHUB
TENNIELLE B. BAILEY
ROBERT J. WILKINSON*
DANIEL K. BARBAGELATA

OF COUNSEL:
REBECCA A. HOELTING
MARGARET C. COURTRIGHT
FRANK J. RHODES, JR.
H. RAIFORD HODGES, JR. (RETIRED)

*ALSO ADMITTED IN TENNESSEE

October 28, 2009

Internal Revenue Service
Attn: Technical Support- P. Jackson
801 Broadway MDP 53
Nashville, TN 37203

RE:	Our File No.:	09-24245
	Loan No.:	7438347783
	Borrower Name:	Jody M. Hodges and Patricia Hodges
	Taxpayer:	**Same as above**
	SSN:	**416-06-1661 or xxx-xx-9541**
	Property Address:	7112 Lenox Village Drive Nashville, TN 37211

Dear Sir or Madam:

Our firm is in the process of foreclosing a Deed of Trust on the property at Davidson County, Tennessee, a copy of the legal description being attached herewith. The present owner(s) of record is/are Jody M. Hodges and Patricia G. Hodges .

Our examination of the records in Davidson County, Tennessee, reveals that there is of record a Federal Tax Lien. For your identification, I am attaching copies of the Department of Treasury-Internal Revenue Service Form 668 on the above-referenced tax lien, in compliance with paragraph 7425(c) of the Internal Revenue Code, i.e., a Notice of Non-judicial Sale.

The Deed of Trust to be foreclosed by public sale was executed by Jody M. Hodges and Patricia Hodges to American Mortgage Network, Inc. on August 19, 2004 in the principal amount of $208,000.00 at 5.87500 percent interest. The amount due on the day of foreclosure is approximately $215,177.57. The per diem amount is $0.00. Estimated fees and costs of foreclosure are $1,500.00. The foreclosure will take place on December 3, 2009 . The sale will be for cash.

This notice is being submitted in duplicate and I would appreciate your indicating the date and time received on the duplicate copy and returning it to the undersigned at the following address:

P.O. Box 57
Decatur, GA 30031

Yours very truly,
McCurdy & Candler, L.L.C.

Patrick A. Taggart

BY: Patrick A. Taggart

PT/ccollymore
Enclosures

SUBSTITUTE TRUSTEE'S SALE

TENNESSEE, DAVIDSON COUNTY

WHEREAS default having been made in the payment of the indebtedness, secured by a Deed of Trust executed by Jody M. Hodges and Patricia Hodges to Peter C. Ensign, Trustee dated August 19, 2004 in the amount of $208,000.00, and recorded in the Register's Office of Davidson County, Tennessee in Instrument No. 20041015-0124298, ("Deed of Trust");

WHEREAS the beneficial interest of said Deed of Trust was last transferred to Mortgage Electronic Registration Systems, Inc. by assignment; and

WHEREAS Mortgage Electronic Registration Systems, Inc. the current owner and holder of said Deed of Trust (the "Owner and Holder"), appointed the undersigned, Patrick A. Taggart, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka, as Substitute Trustee by instrument filed for record in the Register's Office of Davidson County, Tennessee with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and

NOW, THEREFORE, notice is hereby given that the entire amount of said indebtedness has been declared due as provided in said Deed of Trust by the Owner and Holder, and the undersigned Patrick A. Taggart, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka, Substitute Trustee, or a duly appointed attorneys or agents, by virtue of the power and authority vested in the Appointment of Substitute Trusee, will on Thursday, December 3, 2009 commencing at 12:00 PM at 501 Broadway at the front of Sommet Center, formerly known as Gaylord Entertainment Center, Nashville, Tennessee; proceed to sell at public outcry to the highest bidder for cash, the property described in said deed to-wit:

Being Lot No. 21 on the Plan of Section One, Lenox Village of record in Instrument No. 20020319-0033866, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Neel N. Gandhi, individually, and Manish R. Patel by Deed from NVR, Inc. t/a Ryan Homes, a Virginia Corporation, of record dated August 23, 2002 and recorded August 29, 2002 in Instrument No. 20020829-0104621, Registers Office for Davidson County, Tennessee.

Map-Parcel No. 173-09-0-A-23

Map & Parcel No.: 173 09 0A 023.00

PROPERTY ADDRESS: 7112 Lenox Village Drive, Nashville, Tennessee 37211
CURRENT OWNER(S): Jody M. Hodges and Patricia G. Hodges
SUBORDINATE LIENHOLDERS: The Bank of Nashville, Westgate Plaza Condominium Association Inc., Viridian Condominium Association Inc.
OTHER INTERESTED PARTIES: Internal Revenue Service

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in:Instrument No. 20080313-0025190 and Instrument No. 20080117-0005181 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The sale will be held subject to any unpaid taxes, assessments, rights-of-way, easements, protective covenants or restrictions, liens, and other superior matters of record which may affect said property; as well as any prior liens or encumbrances as well as priority created by a fixture filing; and/or any matter that an accurate survey of the premises might disclose.

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the security deed.

Notice has been given of intention to collect attorneys' fees in accordance with the terms of the note secured by said deed.

The right is reserved to adjourn the day of the sale to another day, time and place certain without further publication, upon announcement at the time and place for the sale set forth above.

Patrick A. Taggart, Sidney A. Gelernter, J. Michael Dugan or Laura A. Grifka
McCurdy & Candler, L.L.C.
(404) 373-1612
www.mccurdycandler.com
File No. 09-24245 /CONV
Ad Run Dates: 11/6/2009, 11/13/2009, and 11/20/2009
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.