RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Doris S. Tibbs

GRANTEE(s)
The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01

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:T20090084077 DEEDTRS
Recvd: 12/14/09 13:20 5 pgs
Fees:28.00 Taxes:1140.53
20091214-0113772

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated November 19, 2003 and recorded November 24, 2003, as Instrument No. 20031124-0170427 in the Register's Office of Davidson County, Tennessee, Doris S Tibbs and James A Tibbs conveyed to Arnold M. Weiss, Attorney, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for America's Wholesale Lender and America's Wholesale Lender'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 by instrument of record recorded on September 28, 2009 as Instrument No. 20090928-0089583 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 October 29, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on November 25, 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 The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01, at and for the sum of $308,250.00, 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 The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01 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 The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

Being Lot No. 79 on the Plan of Cleveland Hall Subdivision, Phase 1, of record in Book 11700, Page 51, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and detailed description.

Being the same property conveyed to Doris S. Tibbs by Quitclaim deed recorded April 12, 2005 , as Instrument No. 20050412-0040319, Register's Office for Davidson County, Tennessee.

Commonly known as: 1136 Cleveland Hall Boulevard, Old Hickory, Tennessee 37138.

Tax Parcel No.: 064050089

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 Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 1 day of Dec, 09.

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 1 day of Dec, 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 $308,250.00, 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 [illegible] this 1 day of Dec, 09.

Notary Public

My Commission Expires:

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

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 200401
7105 Corporate Drive
Mail Stop PPX-C-35
Plano, TX 75024

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 November 19, 2003, recorded November 24, 2003, as Instrument No. 20031124-0170427 in the Register's Office of Davidson County, Tennessee, executed by Doris S Tibbs and James A Tibbs in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for America's Wholesale Lender and America's Wholesale Lender'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 America's Wholesale Lender and America's Wholesale Lender's successors and assigns.

2. The Bank of New York Mellon fka The Bank of New York as trustee for the certificateholders of CWABS 2004-01 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 1 day of Dec, 09.

Sherri 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.

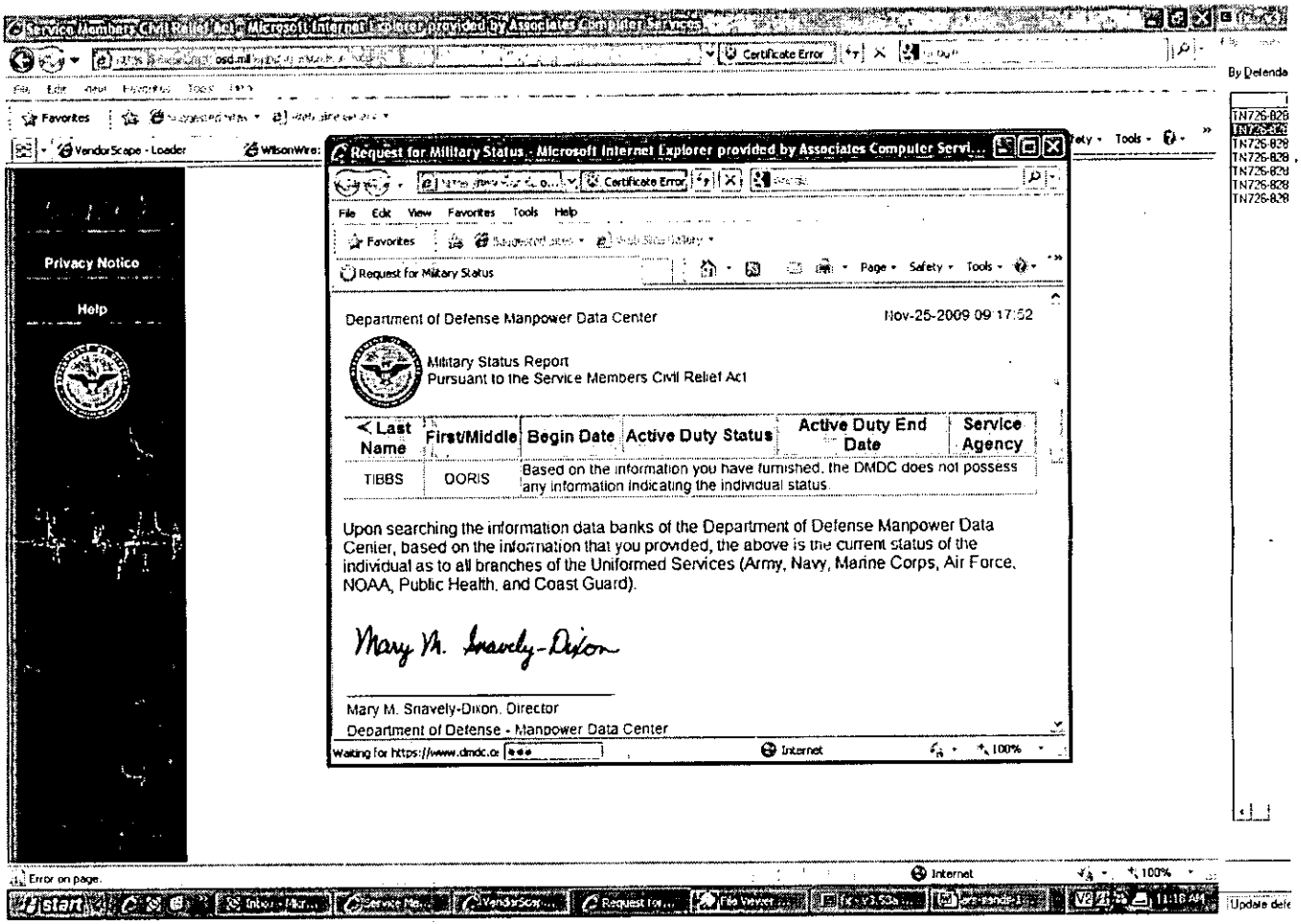
Witness my hand and seal at office in Little Rock, Arkansas this 1 day of Dec, 09.

Notary Public

My Commission Expires: _____

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

DServiceMembersAffidavitTN_bdawson_091125_1049


Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Servi...
Privacy Notice
Help
Request for Military Status
Department of Defense Manpower Data Center
Nov-25-2009 09:17:52
Military Status Report
Pursuant to the Service Members Civil Relief Act
Last Name
First/Middle
Begin Date
Active Duty Status
Active Duty End Date
Service Agency
TIBBS
DORIS
Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.
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 Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).
Mary M. Snavely-Dixon
Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center