BILL GARRETT, Davidson County
Trans: T20090085636 DEEDTRS
Recvd: 12/21/09 10:19 3 pgs
Fees: 18.00 Taxes: 185.00
20091221-0115680

FILE NO.: 09-09573

THIS INSTRUMENT PREPARED BY AND RETURN TO:
M.TODD JACKSON, ATTORNEY, TN BPR 23455
BROCK & SCOTT, PLLC
5431 OLEANDER DRIVE, SUITE 200
WILMINGTON, NC 28403

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Jose Alberto Villalobos Sepulveda and Celina Fonseca conveyed to Stewart Title Guaranty Co. 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 in a Deed of Trust dated February 15, 2007, and recorded in the Office of the Register of Deeds of Davidson County, Tennessee, in Instrument/Book No. 20070220-0020898 and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to **Banco Popular, North America**; and

WHEREAS, Banco Popular, North America, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at Instrument/Book No 200912090112422, in the Office of the Register of Deeds 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, at the time and place mentioned in referenced advertisement, Michelle Rymerson, the undersigned's agent, offered said property for sale at public outcry at the Davidson Courthouse on December 15, 2009 at 11:00AM to the highest and best bidder for cash, at which sale Banco Popular, NA, being the best, highest and last bidder, became the purchaser of said property at and for the sum of $50,000.00; and

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; and

NOW, THEREFORE, in consideration of the premises and of the payment by Banco Popular, NA as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned Brock & Scott, PLLC, as Substitute Trustee, does hereby grant, bargain, sell and convey unto Banco Popular, NA, its/his/her successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

***A certain Condominium unit and lot in Davidson County, Tennessee, described as follows: Lot 32, Unit 20 in a Horizontal Property Regime as shown on the Plan of Phase One, Condominium Site Plan, Sections One & Two, Patio Villa, of record in Plat Book 5200, page 458, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.***

***Being the same property conveyed to Jose Alberto Villalonos Sepulveda and Celina Fonseca, husband and wife, by Warranty Deed from Charles Thomas Shelton and Elizabeth Shelton of record in Instrument No. 20070220-0020897, Register's Office for Davidson County, Tennessee.***

Property commonly known as: 3008 Casa Drive, Nashville, TN 37214.

The last recorded Warranty Deed was filed of record at Instrument/Book No. 200702200020897, in the Office of the Register of Deeds of Davidson County, Tennessee.

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 Banco Popular, NA, its/his/her successors and assigns forever, to whom the said, Brock & Scott, PLLC, 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 or otherwise.

**FILE NO.: 09-09573**

IN TESTIMONY WHEREOF, Attorney M.Todd Jackson of Substitute Trustee, has hereunto set his hand, this 18th day of December, 2009.

**Brock & Scott, PLLC**

**By:** _____

**M.TODD JACKSON, Attorney**
**TN BPR 23455**
**Brock & Scott, PLLC**
Substitute Trustee
5431 Oleander Drive, Suite 200
Wilmington, NC 28403

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, a Notary Public in the State and County aforementioned personally appeared M. Todd Jackson, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be an Attorney of Brock & Scott, the within named bargainor a PLLC, and that such person as such Attorney executed the forgoing instrument for the purpose therein contained by signing the name of the PLLC by such person as Attorney.

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

Notary Public

My Commission Expires: _____

MICHELLE RYMERSON STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY My Commission Expires January 30, 2010

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

I hereby swear or affirm that to the best of my knowledge, belief and information, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $50,000.00, 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 this 18th day of December 2009.

Notary Public

My Commission Expires: _____

MICHELLE RYMERSON STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY My Commission Expires January 30, 2010

**Brock & Scott File No.: 09-09573**
**Property Address: 3008 Casa Drive, Nashville, TN 37214**
**Tax Parcel I.D. No.: 108.07-0A-020.00CO**
**Property Owner and Tax Notices:**
Banco Popular, NA
9600 Long Point Road
Suite 300
Houston, TX 77055