RT 105536

BILL GARRETT, Davidson County
Trans:T20100000146 DEEDTRS
Recvd: 01/04/10 10:45 7 pgs
Fees:37.00 Taxes:0.00
20100104-0000208

FILE NO.: 381.0600529TN\P

THIS INSTRUMENT PREPARED BY & RETURN TO:
**Nationwide Trustee Services, Inc.**
1587 N.E. Expressway
Atlanta, GA 30329

CROSS REFERENCE:
20090902-0082310

# *This deed is being recorded to attach Exhibits*

# *CORRECTIVE SUBSTITUTE TRUSTEE'S DEED*

WHEREAS, by Deed of Trust dated November 02, 2004 and recorded in the Register's Office of Davidson County, TN, at Instrument No. 200411110135975, ("Deed of Trust")and as having been modified by an agreement recorded at Instrument No. 200602170019471, aforesaid records, Joy Stewart and Kenneth Stewart conveyed to Wesley D. Turner, 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 Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1; and

WHEREAS, **Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 200903270027675** in the Register's Office of Davidson County, TN; 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 conformity with the laws of TN and the terms and provisions of said Deed of Trust on 07/24/09, 07/31/09, 08/07/09, in THE NASHVILLE RECORD, by which advertisement the sale was held on August 20, 2009, at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, Federal Tax Lien(s) have been filed against the subject property in the Register's Office of Davidson County, Tennessee, at Book 20080602, Page 0055591. Notice of the sale was given to the United States pursuant to 26 U.S.C. 7425(b) and a copy is attached hereto as Exhibit "A". The response of the United States is attached hereto as Exhibit "B". The property is subject to the right of the United States to redeem pursuant to 26 U.S.C. 7425(d)(1).

WHEREAS, at the time and place mentioned in said advertisement, Phil Young, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $254,548.61; 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;

NOW, THEREFORE, in consideration of the premises and of the payment by Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1 as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Nationwide Trustee Services, Inc.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1**, its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Lot 136, Brentwood Chase, Section One, Revision One Planned Unit Development, as shown on plat of record in Plat Book 9700, Page 936-941, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property. Being the same property conveyed to Grantor(s) by Deed recorded simultaneously herewith in Instrument # 20041111-0135974, Register's Office for said County.

The last recorded Warranty Deed was filed of record at Instrument No. 20411110135974 in the Register's Office of Davidson County, TN.

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 **Deutsche Bank National Trust**

**Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1**, its successors and assigns forever, to whom the said, **Nationwide Trustee Services, Inc.**, 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, **Nationwide Trustee Services, Inc.**, Substitute Trustee, has hereunto set his hand, this 23rd day of November, 2009.

**Nationwide Trustee Services, Inc.**
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 23rd day of November, 2009, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Germaine Duncan, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Nationwide Trustee Services, Inc.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the corporation by himself or herself as such officer or member.

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

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC GWINNETT COUNTY, GA Exp. Nov. 28, 2010

My Commission Expires: 11-28-2010

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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 $254,548.61, 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 23RD DAY OF NOVEMBER 2009.

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC GWINNETT COUNTY, GA Exp. Nov. 28, 2010

My Commission Expires: 11-28-2010

**File No.: 381.0600529TN (Stewart)**
**Property Address: 805 Pisgah Park, Brentwood, TN 37027**
**Tax Parcel ID No.: 160.16.0B-112.00-CO**

Mail Tax Notices To and Property Owner:

Washington Mutual Bank, F.A.
19850 Plummer Street, Mail Stop N070206
Chatsworth, CA 91311

Exhibit A

# NATIONWIDE TRUSTEE SERVICES, INC.

SUBSTITUTE TRUSTEE
1587 NORTHEAST EXPRESSWAY
ATLANTA, GA 30329
(770) 234-9181
FAX (770) 234-9192

July 20, 2009

**VIA UPS**
**1Z4X7Y680190734105**

Area Director- Compliance
Attn: Technical Support- James Kelly
801 Broadway MDP 53
Nashville, TN 37203

**Re: Notice of Federal Tax Lien**
**File Number: 381.0600529TN**
**Name Per Client: Joy Stewart and Kenneth Stewart**
**Property Address: 805 Pisgah Park**
**Brentwood, TN 37027**

Dear Sir or Madam:

I am writing to advise you in accordance with 26 U.S.C. 7425 that Washington Mutual Bank, F.A. has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on August 20, 2009. Enclosed is a copy of the Substitute Trustee's Notice, which is being published in the Davidson County legal newspaper. The recording information for the Deed of Trust, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that one federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific federal tax lien(s) found; said lien(s) were recorded in Book 20080602, Page 0055591.

We are not certain that the parties named in the federal tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security numbers of the individual(s) against whom the above-referenced lien(s) are filed are as follows: Joy Stewart ([redacted]-8519) and Kenneth Stewart ([redacted]-4530). A copy(ies) of the deed(s) conveying the subject property into said individual(s) is/are also enclosed.

The unpaid principal balance of the loan against the above-referenced property is approximately $234,848.82. Interest through the sale date is approximately &15,898.94. Costs and attorneys' fees associated with the sale should be approximately $1,500.00.

***Please return an acknowledged receipt of this notice on the enclosed duplicate letter and return in the enclosed self-addressed stamped envelope.*** If you should have any questions

about this matter, please do not hesitate to contact this office.

Sincerely,
Prommis Solutions, LLC on behalf of
Nationwide Trustee Services, Inc.

Patience Person

Enclosures
cc: Washington Mutual Bank, F.A.

## SUBSTITUTE TRUSTEE'S SALE

**WHEREAS**, default having been made in the payment of the debts and obligations secured to be paid by that certain Deed of Trust executed on November 2, 2004, by Joy Stewart and Kenneth Stewart to Wesley D. Turner, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Instrument No. 200411110135975, as modified by agreement recorded in Instrument No. 20060217-0019471, aforesaid records, ("Deed of Trust"); and

**WHEREAS**, the beneficial interest of said Deed of Trust was last transferred and assigned to Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1; and

**WHEREAS**, Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2005-1, the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Nationwide Trustee Services, Inc., 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 indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and that the undersigned, Nationwide Trustee Services, Inc., Substitute Trustee, or his duly appointed attorneys or agents, by virtue of the power and authority vested in him, will on Thursday, **August 20, 2009**, commencing at **12:00 PM** at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center of Davidson County, Nashville, Tennessee, proceed to sell at public outcry to the highest and best bidder for cash, the following described property situated in Davidson County, Tennessee, to wit:

Lot 136, Brentwood Chase, Section One, Revision One Planned Unit Development, as shown on plat of record in Plat Book 9700, Page 936-941, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to Grantor(s) by Deed recorded simultaneously herewith in Instrument # 20041111-0135974, Register's Office for said County.

**PROPERTY ADDRESS:** 805 Pisgah Park, Brentwood, TN 37027

**CURRENT OWNER(S):** Joy Stewart and Kenneth Stewart

The sale of the above-described property shall be subject to all matters shown on any recorded plan; any unpaid taxes; any restrictive covenants, easements or set-back lines that may be applicable; any prior liens or encumbrances as well as any priority created by a fixture filing; and any matter that an accurate survey of the premises might disclose.

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF THE U.S. TREASURY,** pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in: Book 20080602, Page 0055591. Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

**SUBORDINATE LIENHOLDERS:** Long Beach Mortgage Company, Brentwood Chase Community Association, and Cumberland Area Investment Corporation

**OTHER INTERESTED PARTIES:** N/A

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 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.

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Nationwide Trustee Services, Inc., Substitute Trustee
c/o Patience Person
Nationwide Trustee Services, Inc.
1587 Northeast Expressway
Atlanta, GA 30329
(770) 234-9181 ext.1556
1587 Northeast Expressway
Atlanta, GA 30329
File No.: 381.0600529TN
Insertion Dates: 07/24/09, 07/31/09, 08/07/09

Exhibit B

# NATIONWIDE TRUSTEE SERVICES, INC.

SUBSTITUTE TRUSTEE
1587 NORTHEAST EXPRESSWAY
ATLANTA, GA 30329
(770) 234-9181
FAX (770) 234-9192

2009 JUL 21 PM 1:14

July 20, 2009

**VIA UPS**
**1Z4X7Y680190734105**

Area Director- Compliance
Attn: Technical Support- James Kelly
801 Broadway MDP 53
Nashville, TN 37203

**Re:** **Notice of Federal Tax Lien**
**File Number: 381.0600529TN**
**Name Per Client:** **Joy Stewart and Kenneth Stewart**
**Property Address:** **805 Pisgah Park**
**Brentwood, TN 37027**

Dear Sir or Madam:

I am writing to advise you in accordance with 26 U.S.C. 7425 that Washington Mutual Bank, F.A. has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on August 20, 2009. Enclosed is a copy of the Substitute Trustee's Notice, which is being published in the Davidson County legal newspaper. The recording information for the Deed of Trust, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that one federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific federal tax lien(s) found; said lien(s) were recorded in Book 20080602, Page 0055591.

We are not certain that the parties named in the federal tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security number(s) of the individual(s) against whom the above-referenced lien(s) are filed are as follows: Joy Stewart ([redacted]-8519) and Kenneth Stewart ([redacted]-4530). A copy(ies) of the deed(s) conveying the subject property into said individual(s) is/are also enclosed.

The unpaid principal balance of the loan against the above-referenced property is approximately $234,848.82. Interest through the sale date is approximately &15,898.94. Costs and attorneys' fees associated with the sale should be approximately $1,500.00.

***Please return an acknowledged receipt of this notice on the enclosed duplicate letter and return in the enclosed self-addressed stamped envelope.*** If you should have any questions