RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Neil Hayes

GRANTEE(s)
M&T Bank

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:T20100000862 DEEDTRS
Recvd: 01/06/10 08:18 5 pgs
Fees:28.00 Taxes:389.58
20100106-0000994

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated July 20, 2004 and recorded August 2, 2004, as Instrument No. 20040802-0091986 in the Register's Office of Davidson County, Tennessee, Russell Keith Bobo conveyed to Bridgehouse Title, LLC, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for First National Bank of Arizona and First National Bank of Arizona'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 and **MARIA NEUMANN** as Co-Trustee by instrument of record recorded on November 23, 2009 as Instrument No. 20091123-0107171 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 November 19, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on December 16, 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 M&T Bank, at and for the sum of $105,290.74, 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 M&T Bank 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 M&T Bank, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

Land in Davidson County, Tennessee being Lot Number 41 of Harbors Landing, Section Three of record in Plat Book 6900, page 348, Register's Office for said County to which reference is made for a more complete description.

Being the same property conveyed to Neil Hayes by Quitclaim deed recorded July 27, 2007 , as Instrument No. 20070727-0089165, Register's Office for Davidson County, Tennessee.

Commonly known as: 2976 High Rigger Drive, Nashville, Tennessee 37217.

Tax Parcel No.: 150 02 0 426.00

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 M&T Bank, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 16 day of Dec, 2009

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 16 day of Dec, 2009.

Notary Public

My Commission Expires: MATTHEW D. MARTIN Notary Public-Arkansas Pulaski County My Commission Expires 06-15-2019 Commission # 12371728

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 $105,290.74, 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 LR this 16 day of Dec, 2009.

Notary Public

My Commission Expires: MATTHEW D. MARTIN Notary Public-Arkansas Pulaski County My Commission Expires 06-15-2019 Commission # 12371728

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
M&T Bank
One Fountain Plaza, 7th Floor
Buffalo, NY 14203-1495

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 July 20, 2004, recorded August 2, 2004, as Instrument No. 20040802-0091986 in the Register's Office of Davidson County, Tennessee, executed by Russell Keith Bobo in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for First National Bank of Arizona and First National Bank of Arizona'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 First National Bank of Arizona and First National Bank of Arizona's successors and assigns.

2. M&T Bank 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 16 day of Dec, 2009.

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 16 day of Dec, 2009.

Notary Public

My Commission Expires

MATTHEW D. MARTIN
Notary Public-Arkansas
Pulaski County
My Commission Expires 06-15-2019
Commission # 12371726

DServiceMembersAffidavitTN_chood_091216_1426

Department of Defense Manpower Data Center

Oct-26-2009 09:41:06

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
BOBO	RUSSELL	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
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL http://www.defenselink.mil/faq/pis/PC09SLDR.html. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.