RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Audrey Smith

GRANTEE(s)
The Secretary of Housing and Urban Development, his/her successors and/or assigns

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:T20100003699 DEEDTRS
Recvd: 01/20/10 10:29 5 pgs
Fees:27.00 Taxes:0.00
20100120-0004775

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated January 15, 1999 and recorded January 22, 1999, at Book 11308, Page 30 and re-recorded on March 1, 1999, at Book 11359, Page 234 in the Register's Office of Davidson County, Tennessee, Audrey Smith a/k/a Audrey M. Smith conveyed to Setco, as Trustee for Tucker Federal Bank, d/b/a Prime Lending, 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 October 16, 2009 as Instrument No. 20091016-0095913 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 12, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on November 18, 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 BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP, at and for the sum of $126,833.22, that being the highest and best bid offered; and

WHEREAS, the said BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP has assigned its interest in said property to The Secretary of Housing and Urban Development, his/her successors and/or assigns; 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 BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP 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 Secretary of Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

Land in Davidson County, Tennessee, being Lot No. 80 on the Map of Beverly Heights Subdivision, Section II, of record in Book 2331, page 42, Register's Office for said County.

Said Lot No. 80 fronts 50 feet on the westerly side of Foley Drive and extends back 258.5 feet on the north line and 257.9 feet on the south line to a broken line in the rear, measuring 305.4 feet thereon.

Being the same property conveyed to Audrey Smith by Warranty Deed recorded January 22, 1999 , as Instrument No. 0539896, Register's Office for Davidson County, Tennessee.

Commonly known as: 4831 Foley Drive, Nashville, Tennessee 37211.

Tax Parcel No.: 14704003100

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 Secretary of Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 18 day of Nov 2009

Shellie Wallace
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 18 day of Nov, 2009.

Lena M. Drennan
Notary Public

My Commission Expires: LENA M. DRENNAN NOTARY PUBLIC SALINE COUNTY, ARKANSAS COMM. EXP. 08/10/11

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 $126,833.22, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes.

Shellie Wallace
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 who I am personally acquainted, and whom acknowledged that such person executed the foregoing Form for Oath for the purposes therein contained.

Witness ~~my~~ hand and seal at office in LR this 18 day of Nov, 2009.

Lena M. Drennan
Notary Public

My Commission Expires: ~~LENA M. DRENNAN~~ NOTARY PUBLIC SALINE COUNTY, ARKANSAS COMM. EXP. 08/10/11

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Pyramid Real Estate Services
616 Marriott Drive, Suite 300
Nashville, Tennessee 37214

FHA No. 483-2638740-796

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 January 15, 1999, recorded January 22, 1999, at Book 11308, Page 30 and re-recorded on March 1, 1999, at Book 11359, Page 234 in the Register's Office of Davidson County, Tennessee, executed by Audrey Smith a/k/a Audrey M. Smith in favor of Tucker Federal Bank, d/b/a Prime Lending to secure the payment of a deed of trust note to Tucker Federal Bank, d/b/a Prime Lending.

2. BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP 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 18 day of Nov, 2009.

Shellie 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.

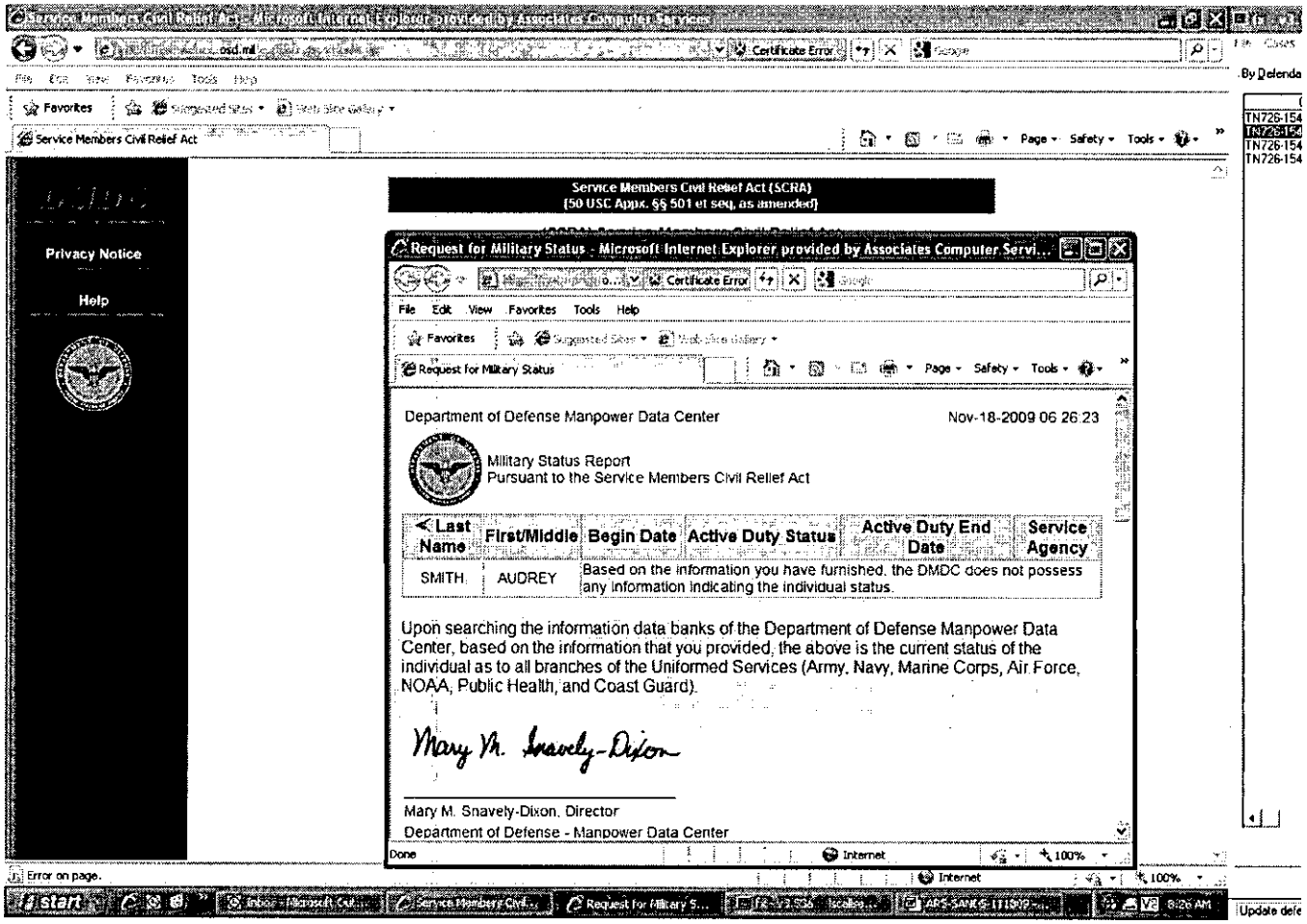
Witness my hand and seal at office in Little Rock, Arkansas this 18 day of Nov, 2009.

Lena M. Drennan
Notary Public

My Commission Expires: _____

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

FHA No. 483-2638740-796
DServiceMembersAffidavitTN_bboone_091118_1358


Service Members Civil Relief Act (SCRA)
(50 USC Appx. §§ 501 et seq, as amended)
Privacy Notice
Help
Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Servi...
Department of Defense Manpower Data Center
Nov-18-2009 06:26:23
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
SMITH
AUDREY
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