**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Bobby Atkinson and Jocelyn Atkinson**

**GRANTEE(s)**
**Danielle Dubetz and Marcia Millican**

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:T20100006765 DEEDTRS
Recvd: 02/03/10 10:45 6 pgs
Fees:33.00 Taxes:780.70
20100203-0008556

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated March 28, 2005 and recorded March 31, 2005, as Instrument No. 20050331-0035191 and re-recorded on April 7, 2005, as Instrument No. 20050407-0038554 in the Register's Office of Davidson County, Tennessee, Bobby A Atkinson and Jocelyn M Atkinson conveyed to Ralph W. Mello, as Trustee for Mortgage Electronic Registration Systems, Inc., a seperate corporation acting solely as nominee for Academy Mortgage Corporation, a Utah Corporation and Academy Mortgage Corporation, a Utah Corporation 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 **MATTHEW SMITH** as Co-Trustee by instrument of record recorded on January 19, 2010 as instrument #20100119-0004093 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 December 31, 2009 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on January 27, 2010 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 Danielle Dubetz and Marcia Millican, at and for the sum of $211,001.00, 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 Danielle Dubetz and Marcia Millican 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 Danielle Dubetz and Marcia Millican, its successors and assigns, the property above mentioned and now further described as being inDavidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot 164, as shown on the map entitled Sheffield on the Harpeth, Phase III-D, of record in Plat Book 7900, Pages 710 and 712, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Bobby Atkinson and Jocelyn Atkinson by Warranty Deed recorded March 31, 2005 as Instrument No. 20050331-0035189, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 701 Vauxhall Road, Nashville, Tennessee 37221-4647.
>
> Tax Parcel No.: 141150D16400CO

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 Danielle Dubetz and Marcia Millican, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 27th day of January, 2010.

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 27th day of January 2010.

Shellie R Chambers
Notary Public

My Commission Expires:

SHELLIE R. CHAMBERS
MY COMMISSION # 12347413
EXPIRES: April 5, 2016
Pulaski County

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 $211,001.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Danielle Dubetz

Marcia Millican

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, _____, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in _____ this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Danielle Dubetz and Marcia Millican
301 Poplar Hill Court
Nashville, TN 37214

VA No. 202060528933

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 211,001

AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 3 DAY OF Feb 2009
Brandi Wells 02-03-09
Deputy Register

# 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 March 28, 2005, recorded March 31, 2005, as Instrument No. 20050331-0035191 and re-recorded on April 7, 2005, as Instrument No. 20050407-0038554 in the Register's Office of Davidson County, Tennessee, executed by Bobby A Atkinson and Jocelyn M Atkinson in favor of Mortgage Electronic Registration Systems, Inc., a seperate corporation acting solely as nominee for Academy Mortgage Corporation, a Utah Corporation and Academy Mortgage Corporation, a Utah Corporation successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., a seperate corporation acting solely as nominee for Academy Mortgage Corporation, a Utah Corporation and Academy Mortgage Corporation, a Utah Corporation successors and assigns.

2. MidFirst 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 7th day of January, 2010.

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 27 day of Jan, 10.

Notary Public

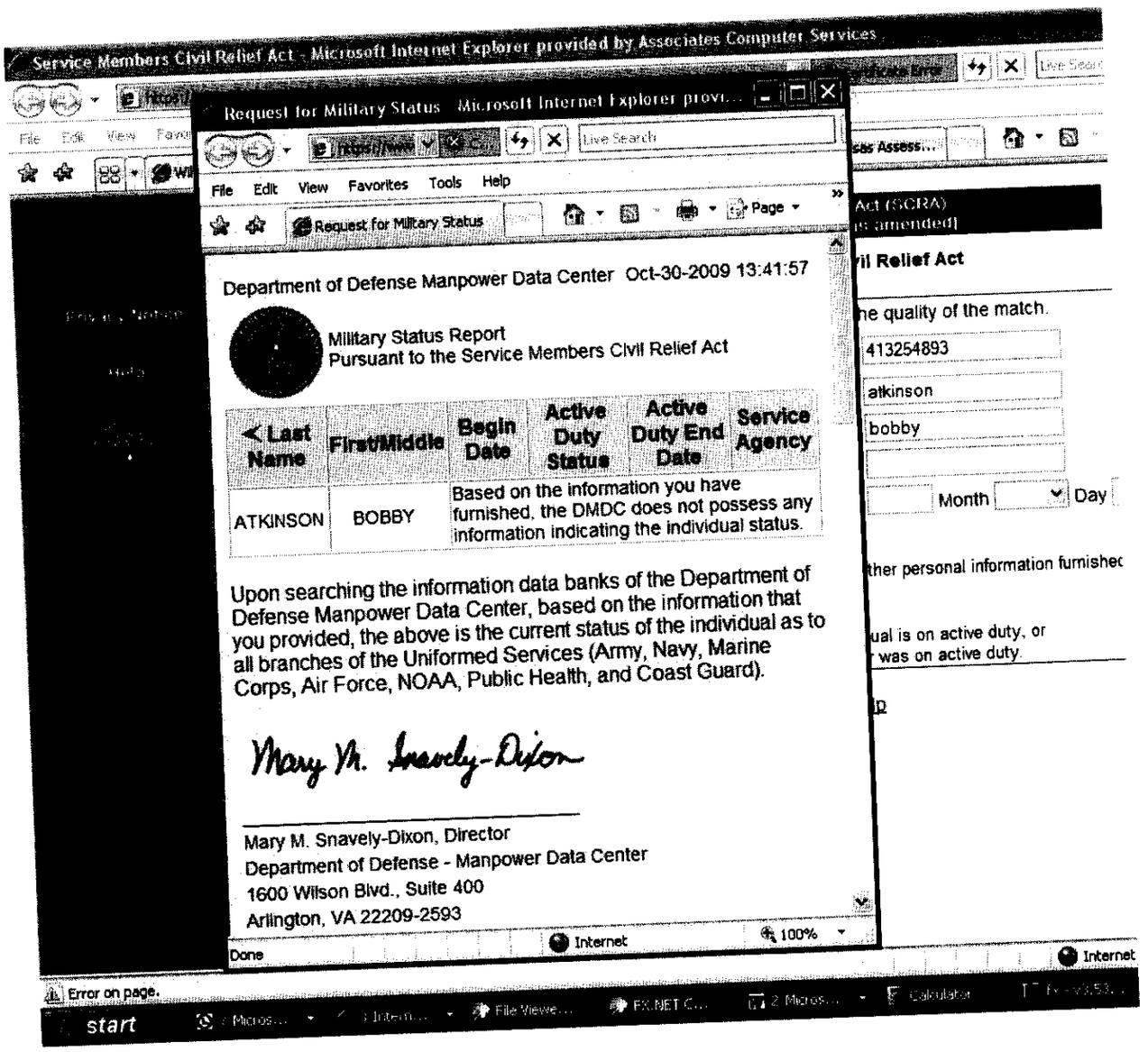
My Commission Expires:

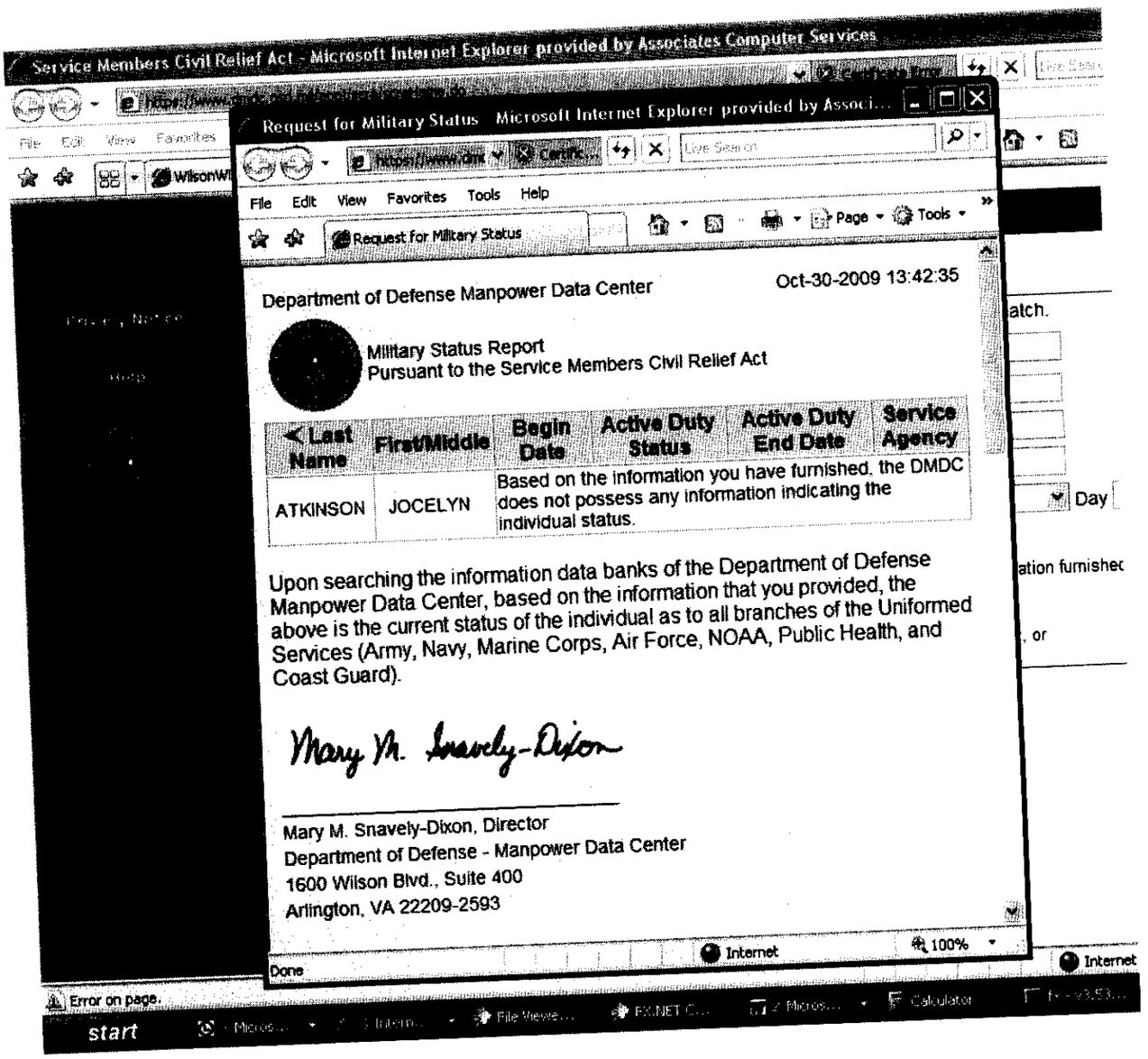
MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

VA No. 202060528933
DServiceMembersAffidavitTN_mokere_100127_1356



717-175809


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Pursuant to the Service Members Civil Relief Act
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First/Middle
Begin Date
Active Duty Status
Active Duty End Date
Service Agency
ATKINSON
BOBBY
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
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Department of Defense Manpower Data Center
Oct-30-2009 13:42:35
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
ATKINSON
JOCELYN
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
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Department of Defense - Manpower Data Center
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Arlington, VA 22209-2593
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