BILL GARRETT, Davidson County
Trans:T20100006756 DEEDTRS
Recvd: 02/03/10 10:26 2 pgs
Fees:13.00 Taxes:270.24
20100203-0008617

PREPARED BY AND RETURN TO:
Joe M. Kirsch, Attorney
6055 Primacy Parkway, Suite 410
Memphis, TN 38119
901-767-5566
Fax: 901-761-5690

Name: Suzanne Polk Kilby, and Rodney Kilby
S & K#: 09-022872

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 21, 1998, recorded in Book 11084, Page 295 in the Register's Office of Davidson County, Tennessee, Suzanne Polk Kilby and Rodney L. Kilby, wife and husband, conveyed to American National Home Mortgage, Trustee, 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 appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20100107-0001498, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on January 14, 2010, at the Davidson County Courthouse in Nashville, Tennessee, at 10:00 am; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 The Bank of New York Mellon Trust Company, NA, as Indenture Trustee for the IMC Home Equity Loan Owner Trust 1998-7, whose address is Ocwen Loan Servicing, LLC, 1661 Worthington Road; Suite 100, P.O. Box 24737, West Palm Beach, Florida 33415 at and for the sum of $73,037.42, that being the highest and best bid offered; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by The Bank of New York Mellon Trust Company, NA, as Indenture Trustee for the IMC Home Equity Loan Owner Trust 1998-7, the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP., as Substitute Trustee, does hereby grant, bargain, sell and convey to the said The Bank of New York Mellon Trust Company, NA, as Indenture Trustee for the IMC Home Equity Loan Owner Trust 1998-7, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, to wit:

Part of Lot Number 7 on the Plan of the Subdivision of the real estate of Hinchey Petway, dec'd as of record in Minute Book 1, Page 442, Chancery Court at Nashville, being Lot Number 10 and the easterly one-half of Lot Number 11 on the unrecorded Map of A.C. Roths's Subdivision, described as follows:

Beginning at a point on the northerly margin of Antioch Pike 590 feet east of the easterly margin of McComb Avenue, formerly Stewart Street; thence northwardly and parallel with the easterly margin of McComb Avenue 162 1/2 feet to a point in the corner of Lots Numbers 9 and 10; thence southwardly with the line between Lots Numbers 9 and 10, 163.9 feet, to the northerly margin of Antioch Pike; thence with the northerly margin of said pike westwardly 75 feet to the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Book 11084, Page 295 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record Book 11084, Page 295 Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Book 8235, Page 393, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto The Bank of New York Mellon Trust Company, NA, as Indenture Trustee for the IMC Home Equity Loan Owner Trust 1998-7, its successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP., Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP., Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

D. Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 14th day of January, 2010, before me, a Notary Public, in and for said State and County, personally appeared D. Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be the Managing Foreclosure Attorney of Shapiro & Kirsch, LLP the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

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

KRISSY GILLUM STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

My Commission Expires: June 4, 2013

My commission expires:

Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of property conveyed (whichever is greater) is $73,037.42.

Affiant

Subscribed and sworn to before me on the date written above.

KRISSY GILLUM STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

My Commission Expires: June 4, 2013

My commission expires:

Notary Public

PROPERTY ADDRESS: 244 Antioch Pike, Nashville, TN 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon Trust Company, NA, as Indenture Trustee for the IMC Home Equity Loan Owner Trust 1998-7
1661 Worthington Road; Suite 100
P.O. Box 24737
West Palm Beach, Florida 33415

S & K #:09-022872
Map & Parcel – 133-02-0 116.00 (133-02-0-393.00)