RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
M.A. Hayes, as Trustee

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:T20100011697 DEEDTRS
Recvd: 03/01/10 08:41 5 pgs
Fees:27.00 Taxes:0.00
20100301-0015050

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 23, 2002 and recorded December 31, 2002, as Instrument No. 20021231-0162459 in the Register's Office of Davidson County, Tennessee, Donnie Smotherman conveyed to Daniel W. Small, Davidson County, as Trustee for Guaranty Trust Company, 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 2, 2009 as Instrument No. 20091002-0091454 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 September 28, 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 Chase Home Finance LLC, at and for the sum of $61,925.81, that being the highest and best bid offered; and

WHEREAS, the said Chase Home Finance LLC 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 Chase Home Finance LLC 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:

Being Lot No. 34 of Block I on the Plan of Forest Park, of record in Book 843, Page 44, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to M.A. Hayes, as Trustee by Warranty Deed recorded August 8, 2006 , as Instrument No. 20060808-0097239, Register's Office for Davidson County, Tennessee.

Commonly known as: 320 Elm Street, Madison, Tennessee 37115.

Tax Parcel No.: 04313037500

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 $61,925.81, 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. 483-3205223-703

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 December 23, 2002, recorded December 31, 2002, as Instrument No. 20021231-0162459 in the Register's Office of Davidson County, Tennessee, executed by Donnie Smotherman in favor of Guaranty Trust Company to secure the payment of a deed of trust note to Guaranty Trust Company.

2. Chase Home Finance LLC 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.

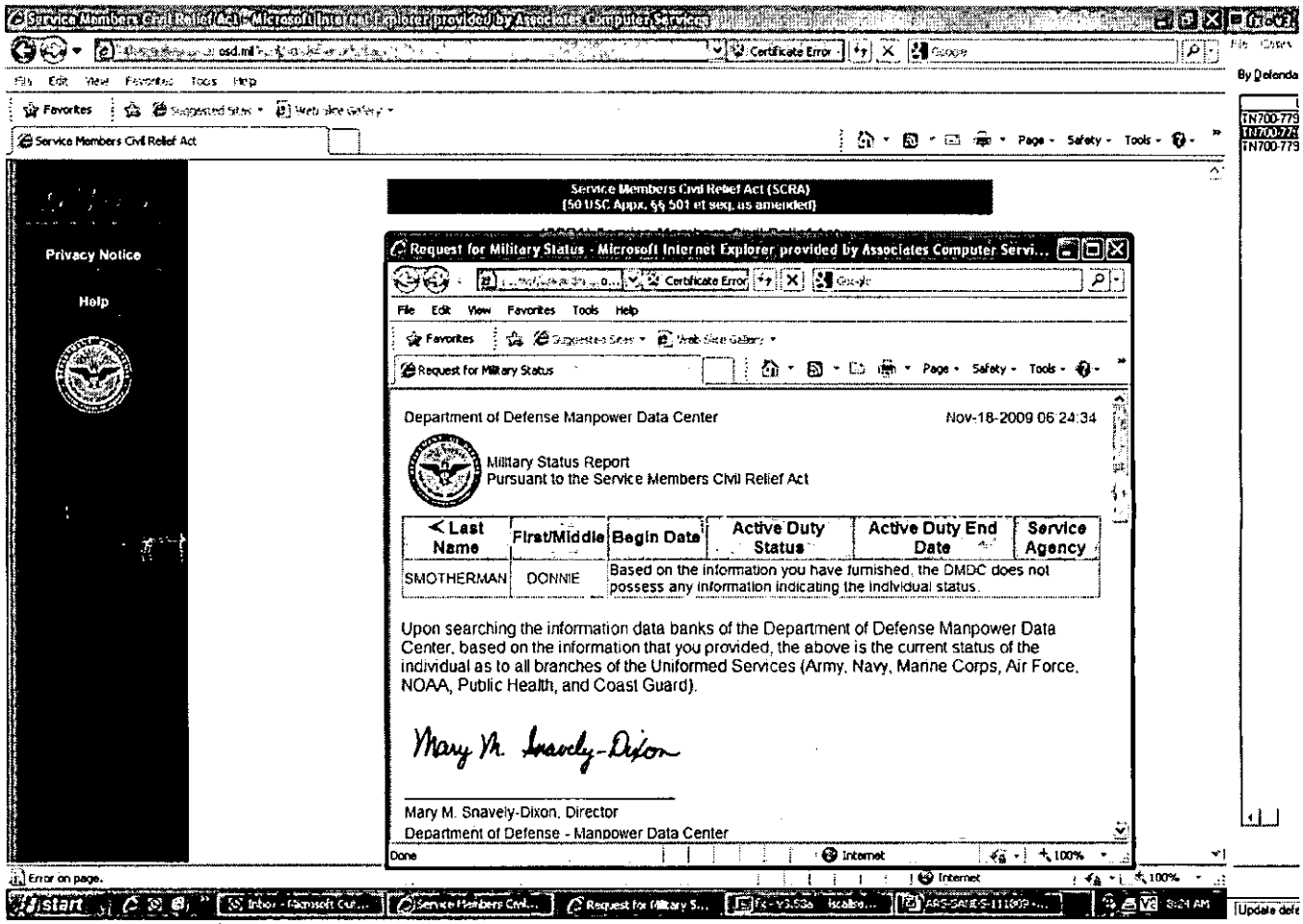
Witness my hand and seal at office in Little Rock, Arkansas this 18 day of Nov, 2009.

Lena M. Drennan
Notary Public

My Commission Expires:

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

FHA No. 483-3205223-703
DServiceMembersAffidavitTN_bboone_091118_1336


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 06:24:34
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
SMOTHERMAN
DONNIE
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