BILL GARRETT, Davidson County
Trans:T20100012652 DEEDTRS
Recvd: 03/03/10 13:48 3 pgs
Fees:17.00 Taxes:0.00
20100303-0016346

Prepared and Recorded by:
RECONTRUST COMPANY, N.A.
2380 Performance Dr, TX2-985-07-03
Richardson, TX 75082

TS#:09 -0154380

ADDRESSES NEW OWNER(S) AS FOLLOWS	SEND TAX BILLS TO:	MAP PARCEL NUMBER 150-10-0-077.00
(NAME) Secretary of HUD	(NAME) Secretary of HUD	
(STREET ADDRESS OR ROUTE NUMBER) 200 Jefferson Ave, Suite 1200	(STREET ADDRESS) 200 Jefferson Ave, Suite 1200	
(CITY) (STATE) (ZIP) Memphis TN 38103-2335	(CITY) (STATE) (ZIP) Memphis TN 38103-2335	

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this, the December 4, 2009, by RECONTRUST COMPANY, N.A., substitute trustee ("Substitute Trustee").

WHEREAS, by that certain Deed of Trust dated January 22, 2004, recorded on January 29, 2004, as Instrument No. 20040129-0011077, Register's Office for Davidson, Tennessee (the "Deed of Trust"), TERRY LYNN SMITH AND KATHY ANN SMITH, HUSBAND AND WIFE (collectively "Borrower"),conveyed to MID SOUTH TITLE COMPANY, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on January 22, 2004, (the "Note"); and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, the Beneficiary under the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, RECONTRUST COMPANY, N.A., was duly appointed as Substitute Trustee in the place and stead MID SOUTH TITLE COMPANY, said appointment being set forth on November 19, 2009, as Instrument No. 2009119-0106522 said Register's Office; and

WHEREAS, the Substitute Trustee caused notice to be published as provided in the Deed of Trust and Note in the DAVIDSON AM that the Property would be sold on December 4, 2009, at time 2:00 PM at the door of the Davidson County Courthouse, Tennessee, such advertisement appearing in said newspaper on November 13, 2009, November 20, 2009 and November 27, 2009, a copy of such notice sent to Borrower, the current owner of the Property, and all other parties who appeared to have any interest in the Property reflected in the records of the Register's Office of Davidson County, Tennessee, and following such notice the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said notices offered the Property for sale, and after opening the floor for competitive bids, sold said Property to BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP at the price of $100,275.51, this being the highest, last and best bid.

WHEREAS, BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, as successful purchaser at said sale, transferred and assigned its bid to Secretary of Housing and Urban Development.

NOW, THEREFORE, RECONTRUST COMPANY, N.A., Substitute Trustee, in consideration of the premises and the sum of $100,275.51, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto Secretary of Housing and Urban Development ("Grantee"), its successors and assigns, all of my right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 271 ON THE PLAN OF TOWNE VILLAGE OF THE COUNTRY, SECTION III, OF RECORD IN BOOK 5200,

PAGES 268 AND 269, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH SAID PLAN REFERENCE IS HEREBY MADE FOR AMORE COMPLETE AND ACCURATE LEGAL DESCRIPTION THEREOF.

Property Address: **3429 TOWNSHIP ROAD, ANTIOCH TN 37013**

Borrower's source of title is that certain **Warranty Deed**, dated **6/30/1999**, given by **Phillip E. Holmes, Jr. and wife, Melissa J. Holmes to Kathy Ann Smith and husband, Terry Lynn Smith** and recorded **7/6/1999 in Book 11559 Page 153-155**, said Register's Office. To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to (1) any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; (2) any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; (3) any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; (4) applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of Davidson County, Tennessee; (5) any governmental zoning and subdivision ordinances or regulations in effect thereon; (6) the accuracy of the Index Book of the said Register's Office; and (7) any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee on the day and date first above written.

RECONTRUST COMPANY, N.A., as Substitute Trustee
By: Sandra L. Hickey
Print Name: Sandra L. Hickey
Title: Assistant Secretary

STATE OF TEXAS)
COUNTY OF DALLAS)

Before me, Shameca L. Harrison, of the state and county aforesaid, personally appeared Sandra L. Hickey of RECONTRUST COMPANY, N.A., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself/himself to be Assistant Secretary of RECONTRUST COMPANY, N.A., a corporation, and that s/he as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by herself/himself as such officer.

WITNESS my hand and seal at office in Dallas, Texas this 13th day of Jan, 2010.

Notary Public

My commission expires:
8-13-12

SHAMECA L HARRISON
My Commission Expires
August 13, 2012

STATE OF TEXAS)
COUNTY OF DALLAS)

The actual consideration or value, whichever is greater, for this transfer is $100,275.51.

Affiant

Sworn to and subscribed before me this 13th day of Jan, 2010.

Notary Public

My commission expires:
8-13-12

SHAMECA L HARRISON
My Commission Expires
August 13, 2012