Sofka

FILE NO.: 1115.0938365TN\ALG

BILL GARRETT, Davidson County
Trans:T20100022059 DEEDTRS
Recvd: 04/14/10 09:32 2 pgs
Fees:12.00 Taxes:0.00
20100414-0028035

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Nationwide Trustee Services, Inc.
1587 N.E. Expressway
Atlanta, GA 30329

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 17, 2006 and recorded in the Register's Office of Davidson County, TN, at Instrument No. 20061127-0146272, ("Deed of Trust")Michael J. Sofka and Stephanie Sofka conveyed to Larry A. Weissman, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to SunTrust Mortgage Inc.; and

WHEREAS, **SunTrust Mortgage Inc.**, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument No. 201001120002744** in the Register's Office of Davidson County, TN; 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 requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in conformity with the laws of TN and the terms and provisions of said Deed of Trust on 12/25/2009, 01/01/2010, 01/08/2010, in The Nashville Record, by which advertisement the sale was held on January 28, 2010, at the Main Entrance of the Davidson County Register of Deeds of the Sommet Center at the corner of 6th & Broadway, in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Phil Young, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **SunTrust Mortgage Inc.**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $142,143.55; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to the Secretary of Housing and Urban Development, Washington, D.C., his/her successors and assigns; and

WHEREAS, the owner and holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

NOW, THEREFORE, in consideration of the premises and of the payment by SunTrust Mortgage Inc. as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Nationwide Trustee Services, Inc.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Being all of Lot No. 122, on the plan of Barnes Crossing, Planned unit Development , according to Master Deed appearing of record in Instrument Number 20050721-0084791, and Amended of record in Instrument Number 20051114-0136938, of the Register's Office of Davidson County, to which plat reference is hereby made for more completed details of location and description of said lot. Being the same property conveyed to Michael J. Sofka and Stephanie Sofka, husband and wife, by deed from Ole South Properties, Inc. a Tennessee Corporation, dated November 17, 2006, appearing of record in Instrument Number 20061127-0146271, of the Register's Office of Davidson County, Tennessee. This conveyance is made subject to Master Deed and By-Laws contained in instrument of record in Instrument Number 20050721-0084791, in Instrument Number 20050805-0092480, and in Instrument Number 20051114-0136938; Easement to metro of record in Instrument Number 20050721-0084791, and in Instrument Number 20050811-0095171; Charter of Home Owner's Association included in Master Deed as Exhibit B; Planned Unit Development Boundary of record in Instrument Number 20050128-0010427; and to any and all matters shown on said Master Deed of record in Instrument Number 20050721-0084791, and Amended of record in Instrument Number 20051114-0136938; all of said Office.

The last recorded Warranty Deed was filed of record at Instrument No. 20061127-0146271 in the Register's Office of Davidson County, TN.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assignsforever, to whom the said, **Nationwide Trustee Services, Inc.**, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, **Nationwide Trustee Services, Inc.**, Substitute Trustee, has hereunto set his hand, this 28th day of January, 2010.

Nationwide Trustee Services, Inc.
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 28th day of January, 2010, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Germaine Duncan, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Vice President of **Nationwide Trustee Services, Inc.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the corporation by himself or herself as such officer or member.

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

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC GWINNETT COUNTY, GA EXP. NOV. 28, 2010

My Commission Expires: 11-28-2010

NO TAX – GOVERNMENTAL AGENCY

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File No.: 1115.0938365TN (Sofka)
Property Address: 1920 Shaylin Loop, Antioch, TN 37013
Tax Parcel ID No.: 173-05-0A-122.00-CO

Mail Tax Notices To and Property Owner:

Secretary of Housing and Urban Development
Attention: Single-Family Property Disposition Branch
Cumberland Bend Office Center
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803

STATE OF GEORGIA, DeKALB COUNTY
or we hereby swear or affirm that the actual consideration for this transfer of the property transferred, in $ zero which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Affiant

Subscribed and sworn to before me this 12th day of January, 2010

Michael Winston
Notary Public

MICHAEL WINSTON NOTARY PUBLIC FULTON COUNTY EXPIRES GEORGIA AUG. 24, 2013