BILL GARRETT, Davidson County
Trans: T20100029414 DEEDTRS
Recvd: 05/17/10 11:08 3 pgs
Fees: 18.00 Taxes: 153.18

20100517-0037703

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

TS#:10 -0034291

ADDRESSES NEW OWNER(S) AS FOLLOWS			SEND TAX BILLS TO:			MAP PARCEL NUMBER
(NAME)			(NAME)			43.13-361.00
Bank of New Mellon			Bank of New Mellon			
(STREET ADDRESS OR ROUTE NUMBER)			(STREET ADDRESS)			
400 Countywide Way			400 Countywide Way			
(CITY)	(STATE)	(ZIP)	(CITY)	(STATE)	(ZIP)	
Simi Valley	CA	93063	Simi Valley	CA	93063	

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this, the May 6, 2010, by RECONTRUST COMPANY, N.A., substitute trustee ("Substitute Trustee").

WHEREAS, by that certain Deed of Trust dated October 22, 2003, recorded on November 4, 2003, as Instrument No. 20031104-0161787, Register's Office for Davidson, Tennessee (the "Deed of Trust"), FEAREN KELLEY A SINGLE WOMAN (collectively "Borrower"),conveyed to ARNOLD M. WEISS, 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 October 22, 2003, (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, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-01, BY BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING, LP, BY BAC GP, LLC, ITS GENERAL PARTNER, AS ATTORNEY-IN-FACT, 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 ARNOLD M. WEISS, said appointment being set forth on April 15, 2010, as Instrument No. 20100415-0028456 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 May 6, 2010, at time 2:00 PM at the door of the Davidson County Courthouse, Tennessee, such advertisement appearing in said newspaper on April 16, 2010, April 23, 2010 and April 30, 2010, 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 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-01, BY BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING, LP, BY BAC GP, LLC, ITS GENERAL PARTNER, AS ATTORNEY-IN-FACT at the price of $41,400.00, this being the highest, last and best bid.

NOW, THEREFORE, RECONTRUST COMPANY, N.A., Substitute Trustee, in consideration of the premises and the sum of $41,400.00, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-01, BY BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING, LP, BY BAC GP, LLC, ITS GENERAL PARTNER, AS ATTORNEY-IN-FACT ("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 SITUATED IN DAVIDSON COUNTY TENNESSEE AND KNOWN AS ALL OF LOT 21 OF BLOCK "I" ON THE PLAN OF FOREST PARK SUBDIVISION AT MADISON, TENNESSEE, AS THE SAME APPEARS OF RECORD IN BOOK 843, PAGE 44, REGISTER'S OFFICE FOR SAID COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID LOT NOS. 21 FRONTS 50 FEET ON THE SOUTHERLY SIDE OF ELM STREET AND RUNS BACK BETWEEN PARALLEL LINES 150 FEET TO A DEAD LINE.

Property Address: **234 ELM STREET, MADISON TN 37115**

Borrower's source of title is that certain **QuitClaim Deed**, dated **03/06/2003**, given by **Evie Brown** to **Fearen Kelley** and recorded **11/4/2003 Instrument # 20031104-0161786**, 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: _____
Print Name: Julie C. Webb
Title: Assistant Secretary

STATE OF TEXAS)
COUNTY OF DALLAS)

Before me, Princess Everage, of the state and county aforesaid, personally appeared Julie C. Webb 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 14 day of May, 2010.

Notary Public

My commission expires:

PRINCESS J EVERAGE
Notary Public
STATE OF TEXAS
My Comm. Exp. 08-14-13

STATE OF TEXAS)
COUNTY OF DALLAS)

The actual consideration or value, whichever is greater, for this transfer is $41,400.00.

Affiant

Sworn to and subscribed before me this 14 day of May, 2010.

Notary Public

My commission expires:

PRINCESS J EVERAGE
Notary Public
STATE OF TEXAS
My Comm. Exp. 08-14-13