FILE NO.: 221.0930517TN\ALG

BILL GARRETT, Davidson County
Trans:T20100046359 DEEDTRS
Recvd: 07/29/10 09:12 5 pgs
Fees:28.00 Taxes:1383.80
20100729-0059339

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 February 13, 2007 and recorded in the Register's Office of Davidson County, TN, at Instrument 200702210021423, ("Deed of Trust")Joseph Davidson Forbes aka David Forbes and Harriet Forbes aka Harriett Forbes 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 Bank; 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 20100607-0043903** 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 05/21/10, 05/28/10, 06/04/10, in THE NASHVILLE RECORD, by which advertisement the sale was held on July 15, 2010, at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, Federal Tax Lien(s) have been filed against the subject property in the Register's Office of Davidson County, Tennessee, at Book 20080917, Page 0094905. Notice of the sale was given to the United States pursuant to 26 U.S.C. 7425(b) and a copy is attached hereto as Exhibit "A". The response of the United States is attached hereto as Exhibit "B". The property is subject to the right of the United States to redeem pursuant to 26 U.S.C. 7425(d)(1).

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 $374,000.00; 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 **SunTrust Mortgage Inc.**, its successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Exhibit "A" Land in Davidson County, Tennessee, being Lot No.1 on the Plan of Russellwood Heights, as of record in Book 3842, Page 188, Register's Office for said County, described as follows: Beginning at a point in the Southerly margin of Willowdale Court at the common corner of Lot Nos. 1 and 2: thence with the margin of said Court, Easterly 295 feet to a point at the beginning of a curve; thence around said curve, Southeasterly 39.97 feet to a point in the Westerly margin of Franklin Road; thence with the margin of the same; Southerly 272.5 feet to a point; thence leaving said Road, Westerly 260.64 feet to the common rear corner of Lot Nos. 1 and 2; thence with the line between said lots, Northwardly 310.3 feet to the point of beginning. Being the same property conveyed to David Forbes and wife, Harriett Forbes by deed from Margie L. Ferreira and husband, Raymond H. Ferreira, of record as Instrument No. 200401070002760, Register's Office for Davidson County, Tennessee. David Forbes and Joseph Davidson Forbes are one and the same person. Harriett Forbes and Harriet Forbes are one and the same person.

The last recorded Warranty Deed was filed of record at Instrument 200401070002760 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 **SunTrust Mortgage Inc.**, its successors and assigns forever, 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 15th day of July, 2010.

Nationwide Trustee Services, Inc.
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 15th day of July, 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 Assistant 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

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STATE OF GEORGIA

COUNTY OF DEKALB

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $374,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 15TH DAY OF JULY 2010.

Ronald Key
Notary Public

RONALD KEY NOTARY PUBLIC GWINNETT COUNTY, GA Exp. Nov. 28, 2010

My Commission Expires: 11-28-2010

File No.: 221.0930517TN (Forbes)
Property Address: 5211 Franklin Pike, Nashville, TN 37220
Tax Parcel ID No.: 160-02-0-057.00

Mail Tax Notices To and Property Owner:

SunTrust Mortgage, Inc.
P O Box 27767
Richmond, VA 23261

SUBSTITUTE TRUSTEE'S SALE

WHEREAS, default having been made in the payment of the debts and obligations secured to be paid by that certain Deed of Trust executed on February 13, 2007, by Joseph Davidson Forbes aka David Forbes and Harriet Forbes aka Harriett Forbes to Larry A. Weissman, Trustee, as same appears of record in the Register's Office of Davidson County, Tennessee, under Instrument 200702210021423, ("Deed of Trust"); and

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

WHEREAS, SunTrust Mortgage Inc., the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Nationwide Trustee Services, Inc., as Substitute Trustee by instrument filed for record in the Register's Office of Davidson County, Tennessee, with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and that the undersigned, Nationwide Trustee Services, Inc., Substitute Trustee, or his duly appointed attorneys or agents, by virtue of the power and authority vested in him, will on Thursday, **June 17, 2010**, commencing at **12:00 PM** at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center of Davidson County, Nashville, Tennessee, proceed to sell at public outcry to the highest and best bidder for cash, the following described property situated in Davidson County, Tennessee, to wit:

Exhibit "A"

Land in Davidson County, Tennessee, being Lot No.1 on the Plan of Russellwood Heights, as of record in Book 3842, Page 188, Register's Office for said County, described as follows:

Beginning at a point in the Southerly margin of Willowdale Court at the common corner of Lot Nos. 1 and 2: thence with the margin of said Court, Easterly 295 feet to a point at the beginning of a curve; thence around said curve, Southeasterly 39.97 feet to a point in the Westerly margin of Franklin Road; thence with the margin of the same; Southerly 272.5 feet to a point; thence leaving said Road, Westerly 260.64 feet to the common rear corner of Lot Nos. 1 and 2; thence with the line between said lots, Northwardly 310.3 feet to the point of beginning.

Being the same property conveyed to David Forbes and wife, Harriett Forbes by deed from Margie L. Ferreira and husband, Raymond H. Ferreira, of record as Instrument No. 200401070002760, Register's Office for Davidson County, Tennessee.

David Forbes and Joseph Davidson Forbes are one and the same person.
Harriett Forbes and Harriet Forbes are one and the same person.

PROPERTY ADDRESS: 5211 Franklin Pike, Nashville, TN 37220

CURRENT OWNER(S): David Forbes aka Joseph Davidson Forbes and Harriett Forbes aka Harriet Forbes

The sale of the above-described property shall be subject to all matters shown on any recorded plan; any unpaid taxes; any restrictive covenants, easements or set-back lines that may be applicable; any prior liens or encumbrances as well as any priority created by a fixture filing; and any matter that an accurate survey of the premises might disclose.

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF THE U.S. TREASURY,** pursuant to 26 U.S.C. 7425(d)(1) by

Exhibit A

reason of the following tax lien(s) of record in: Instrument No. 200809170094905. Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

SUBORDINATE LIENHOLDERS: SunTrust Bank

OTHER INTERESTED PARTIES: N/A

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above.

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Nationwide Trustee Services, Inc., Substitute Trustee
c/o rxk
Nationwide Trustee Services, Inc.
1587 Northeast Expressway
Atlanta, GA 30329
(770) 234-9181 (ext.)
File No.: 221.0930517TN
Insertion Dates: 05/21/10, 05/28/10, 06/04/10

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

June 1, 2010

Nationwide Trustee Services, Inc.
1587 Northeast Expressway
Atlanta, Georgia 30329

Dear Mr. Key:

This is to acknowledge receipt of your correspondence dated May 14, 2010 regarding Joseph D. Forbes & Harriet L. Kolmer, 5211 Franklin Pike, Nashville, Tennessee 37220, TIN XXX-XX-3287. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986.

If the property is sold for more than the total due on the foreclosing instrument, any excess proceeds are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown below.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487, by calling 1-800-TAX-FORM. A payment may be required to secure a release.

We are enclosing a blank "Report Of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.

If you have any questions, please contact Wendy Smoot, badge number 1000342330, telephone number, (615)250-5093, fax to (615)250-6008, or write to 801 Broadway, MDP 53, Nashville, TN 37203. Thank you for your cooperation.

Sincerely,

for Leticia Dunn
Technical Services Group Manager

Enclosure

Exhibit A