RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Richard Weaver and Mary Cook

GRANTEE(s)
FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC

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:T20100047422 DEEDTRS
Recvd: 08/03/10 08:10 4 pgs
Fees:23.00 Taxes:355.20
20100803-0060670

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 11, 2006 and recorded December 27, 2006, as Instrument No. 20061227-0159001 in the Register's Office of Davidson County, Tennessee, Richard Weaver and Mary M. Weaver conveyed to Cumberland Title Company, as Trustee for Mortgage Electronic Registration Systems Inc., as a separate corporation that is acting solely as a nominee for Primary Residential Mortgage, Inc. and Primary Residential Mortgage, Inc.'s successors and assigns, 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 and **J.P. SELLERS** as Co-Trustee by instrument of record recorded on July 2, 2010 as Instrument No. 20100702-0051888 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 July 2, 2010 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on July 28, 2010 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 FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC, at and for the sum of $96,000.00, that being the highest and best bid offered; 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 FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings 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 said FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being the westerly one-half (1/2) of a parcel of land located in the Second Civil District (formerly Fifth) of Davidson County, State of Tennessee, formally known as Lot No. 3 of the S. B. Smith Tract conveyed to O. C. Ellis and wife, Freddie Mai B. Ellis by Louise Gasser, of record in Book 1341, page 663, Register's Office for said County, particularly described as follows:
>
> Beginning in the northwest corner at a spike in the center line of Curry Road and running South 88 degrees 30 minutes East 105 feet to a point; thence South 3 degrees 30 minutes East 210 feet; thence North 88 degrees 30 minutes West 105 feet to an iron stake; thence North 3 degrees 30 minutes East 210 feet to the starting point in the center of Curry Road; being the westerly one-half (1/2) of property now owned by O. C. Ellis and wife, Freddie Mai B. Ellis in entireties.
>
> Being the same property conveyed to Richard Weaver and Mary Cook by Warranty Deed recorded August 22, 2006 , as Instrument No. 20060822-0103207, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 1225 Currey Road, Nashville, Tennessee 37217.
>
> Tax Parcel No.: 12013004600

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 FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 28 day of July, 10.

S 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 purposestherein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 28 day of July, 10.

Notary Public

My Commission Expires: Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

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 $96,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

S 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 foregoing Form For Oath for the purposes therein contained.

Witness my hand and seal at office in AR this 28 day of July, 10.

Notary Public

My Commission Expires: _____

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC
P.O. Box 161489
Fort Worth, TX 76161-1489

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF MISSOURI

COUNTY OF SAINT CHARLES

RE: 1225 Currey Road
Nashville, Tennessee 37217
Debtor(s): Richard Weaver and Mary M. Weaver

BEFORE ME, the undersigned authority, on this day personally appeared Ryan Dailey, who after being duly sworn, deposed and stated:

1. I am an employee of CitiMortgage, Inc. and held the position of Foreclosure Analyst with said company at the time of the events hereinafter set forth, and make this Affidavit for the purpose of declaring the incidents of statutory and contractual compliance of the entity or entities set out below.

2. This Affidavit is made with respect to the foreclosure of that certain deed of trust dated December 11, 2006, recorded December 27, 2006, as Instrument No. 20061227-0159001 in the real property records of Davidson County, Tennessee, executed by Richard Weaver and Mary M. Weaver in favor of Mortgage Electronic Registration Systems Inc., as a separate corporation that is acting solely as a nominee for Primary Residential Mortgage, Inc. and Primary Residential Mortgage, Inc.'s successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems Inc., as a separate corporation that is acting solely as a nominee for Primary Residential Mortgage, Inc. and Primary Residential Mortgage, Inc.'s successors and assigns.

3. CitiMortgage, Inc. is the holder of or agent for the holder of the indebtedness secured by said deed of trust.

4. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were not members of the Armed Forces of the United States of America and had not been members of any such entities for at least nine (9) months prior to the date of the foreclosure sale the subject hereof.

5. 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 7 day of July, 2010.

Affiant Ryan Dailey

Foreclosure Analyst
Title

ACKNOWLEDGMENT

STATE OF MISSOURI

COUNTY OF SAINT CHARLES

Before me, the undersigned notary public of the state and county aforesaid, personally appeared RYAN DAILEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the president (or other such officer authorized to execute the instrument) of CitiMortgage, Inc., the within-named bargainor, a corporation, and that such officer executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in O'Fallon, Missouri this 7 day of July, 2010.

Notary Public

My Commission Expires: _____

RETURN TO:

WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

M. HAMPE
Notary Public - Notary Seal
State of Missouri
Warren County
Commission # 10947162
My Commission Expires March 11, 2014

Loan No. xxxxxx1085
DSoldierSailorAffidavit_spage_100624_1113