RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Dwayne L. Scivally and April Adams-Scivally

GRANTEE(s)
The Secretary of Veterans Affairs,
an Officer of the United States of America,
his/her successors and/or assigns

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:T20100057356 DEEDTRS
Recvd: 09/13/10 13:07 6 pgs
Fees:32.00 Taxes:0.00
20100913-0072627

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated May 28, 1999 and recorded June 9, 1999, at Book 11519, Page 819 in the Register's Office of Davidson County, Tennessee, Dwayne L. Scivally and April Scivally a/k/a April Adams-Scivally conveyed to Transcontinental Title, as Trustee for Source One Mortgage Corporation, 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 August 11, 2010 as Instrument No. 20100811-0063412 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 August 6, 2010 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on September 8, 2010 at the Bridgestone Arena 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 CitiMortgage, Inc., at and for the sum of $101,350.00, that being the highest and best bid offered; and

WHEREAS, the said CitiMortgage, Inc. has assigned its interest in said property to The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns; 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 CitiMortgage, Inc. 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 Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being Lot No. 245 on the Plan of Peppertree Forest, Section 18, of record in Plat Book 8250, Page 260, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Dwayne L. Scivally and April Adams-Scivally by Warranty Deed recorded September 19, 1995 , at Book 9798, Page 914, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 5312 Flagstone Drive, Antioch, Tennessee 37013.
>
> Tax Parcel No.: 176-02-0 083.00

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 The Secretary of Veterans Affairs, an Officer of the United States of America, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 8 day of Sept, 10.

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 purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 8 day of Sept, 10.

Notary Public

My Commission Expires:

MISTY M. SOBANSKI
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 $101,350.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes pursuant to TCA. § 13-23-127.

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 who I am personally acquainted, and whom 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 8 day of Sept, 10.

Notary Public

My Commission Expires:

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

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Department of Veterans Affairs
Regional Office
110 9th Avenue South
Nashville, Tennessee 37203

VA No. 20-20-6-0475842

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

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

1. I am the Successor Trustee with a certain deed of trust, dated May 28, 1999, recorded June 9, 1999, at Book 11519, Page 819 in the Register's Office of Davidson County, Tennessee, executed by Dwayne L. Scivally and April Scivally a/k/a April Adams-Scivally in favor of Source One Mortgage Corporation to secure the payment of a deed of trust note to Source One Mortgage Corporation.

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

3. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least three (3) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

4. As such, 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 8 day of Sept, 10.

Shellie Wallace
Affiant

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, Successor Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Successor Trustee for the purposes therein contained.

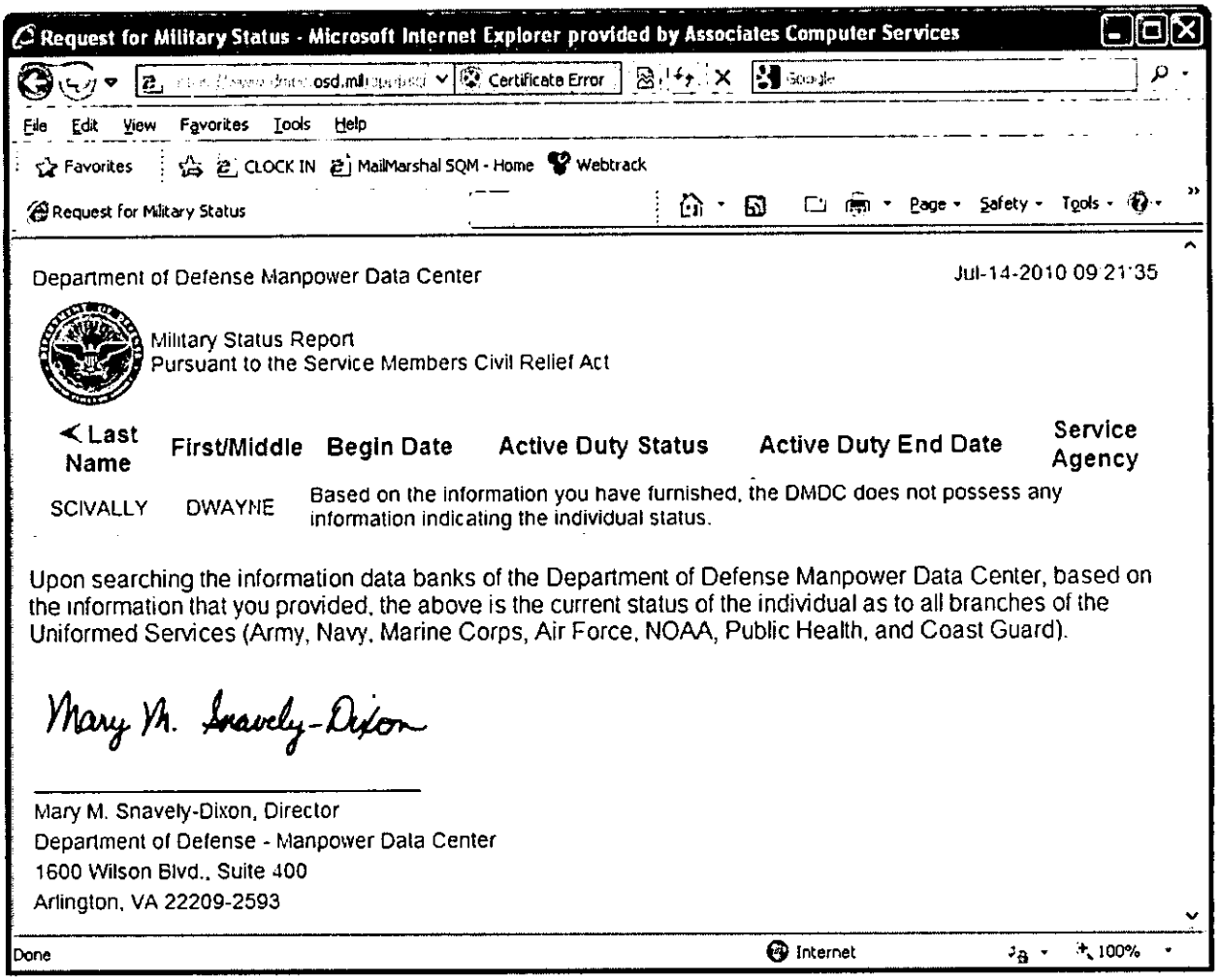
Witness my hand and seal at office in Little Rock, Arkansas this 8 day of Sept, 10.

Notary Public

My Commission Expires: _____

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

VA No. 20-20-6-0475842
DServiceMembersAffidavitTN_jdean_100908_1513


Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Services
Certificate Error
File Edit View Favorites Tools Help
Favorites CLOCK IN MailMarshal SQM - Home Webtrack
Request for Military Status
Page Safety Tools
Department of Defense Manpower Data Center
Jul-14-2010 09:21:35
Military Status Report
Pursuant to the Service Members Civil Relief Act
Last Name
First/Middle
Begin Date
Active Duty Status
Active Duty End Date
Service Agency
SCIVALLY
DWAYNE
Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.
Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).
Mary M. Snavely-Dixon
Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593
Done
Internet
100%

Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Services

osd.mil Certificate Error

File Edit View Favorites Tools Help

Favorites CLOCK IN MailMarshal SQM - Home Webtrack

Request for Military Status

Page Safety Tools

Department of Defense Manpower Data Center Jul-14-2010 09:21:58

Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
ADAMS-SCIVALLY	APRIL	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

Done Internet 100%