190703

RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Joel A. Drake

GRANTEE(s)
The Secretary of Housing and Urban Development, 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:T20100058201 DEEDTRS
Recvd: 09/16/10 08:12 4 pgs
Fees:22.00 Taxes:0.00
20100916-0073556

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated May 20, 2008 and recorded May 30, 2008, as Instrument No. 20080530-0054964 in the Register's Office of Davidson County, Tennessee, Joel A Drake and Judith A Drake conveyed to Thomas A. Bourdon, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Volunteer Trust Mortgage Corporation and Volunteer Trust Mortgage Corporation'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 **MATTHEW SMITH** as Co-Trustee by instrument of record recorded on July 12, 2010 as Instrument No. 201007120054604 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 9, 2010 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on August 18, 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 Wells Fargo Bank NA, at and for the sum of $178,643.43, that being the highest and best bid offered; and

WHEREAS, the said Wells Fargo Bank NA has assigned its interest in said property to The Secretary of Housing and Urban Development, 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 Wells Fargo Bank NA 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 Housing and Urban Development, 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. 217, on the Plan of Section Four, Priest Lake Park of record in Book 4460, page 15-17, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Joel A. Drake by Warranty Deed recorded February 24, 2009 , as Instrument No. 20090224-0016119, Register's Office for Davidson County, Tennessee.

Commonly known as: 233 Clearlake Drive West, Nashville, Tennessee 37217-4501.

Tax Parcel No.: 13606000900

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 Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 18th day of August, 2010.

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 18 day of Aug, 2010.

Lena M. Drennan
Notary Public

My Commission Expires:

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

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 $178,643.43, 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 such person executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in LR this 18 day of Aug, 2010.

Lena M. Drennan
Notary Public

My Commission Expires:

LENA M. DRENNAN
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP. 08/10/11

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Pyramid Real Estate Services
616 Marriott Drive, Suite 300
Nashville, Tennessee 37214

FHA No. 483-3896741

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF South Carolina

COUNTY OF York

RE: 233 Clearlake Drive West
Nashville, Tennessee 37217-4501
Debtor(s): Joel A Drake and Judith A Drake

BEFORE ME, the undersigned authority, on this day personally appeared _____Jennifer G. Payne____, who after being duly sworn, deposed and stated:

1. I am an employee of Wells Fargo Bank NA and held the position of _____Vice President Loan Documentation_____ 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 May 20, 2008, recorded May 30, 2008, as Instrument No. 20080530-0054964 in the real property records of Davidson County, Tennessee, executed by Joel A Drake and Judith A Drake in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Volunteer Trust Mortgage Corporation and Volunteer Trust Mortgage Corporation'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 Volunteer Trust Mortgage Corporation and Volunteer Trust Mortgage Corporation's successors and assigns.

3. Wells Fargo Bank NA 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 ___2____ day of _____July____, ____2010_____.

Jennifer G. Payne

Vice President Loan Documentation
Title

ACKNOWLEDGMENT

STATE OF South Carolina

COUNTY OF York

Before me, the undersigned notary public of the state and county aforesaid, personally appeared _____Jennifer G. Payne_____, 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 Wells Fargo Bank NA, 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 ___Fort Mill, SC__ this __2_____ 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

CAROLYN M EVANS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 08/18/2019

Loan No. xxxxxx9573
FHA No. 483-3896741
DSoldierSailorAffidavit_gperesko_100701_2059