BILL GARRETT, Davidson County
Trans:T20100061314 DEEDTRS
Recvd: 09/29/10 11:27 5 pgs
Fees:28.00 Taxes:343.36
20100929-0077461

Prepared by and Return to:
Patrick Taggart/ccollymore 09/23/2010
McCurdy & Candler, L.L.C.
3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305

SUBSTITUTE TRUSTEE'S DEED

GMAC Mortgage Corporation
File No. 08-07284 /Shawn Pruitt

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated March 22, 2002, and recorded in the Register's Office of Davidson County, Tennessee, on April 2, 2002 at Instrument No. 200204020039678, ("Deed of Trust"), Shawn Pruitt conveyed to American Title Company, Trustee, 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 Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee; and

WHEREAS, Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 201009100071984, 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 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 Tennessee Tribune in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 8/26/2010, 9/2/2010, and 9/9/2010. The sale was held on September 23, 2010, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $92,800.00; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, its successors and assigns;

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;

WHEREAS, this sale shall be subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record at Instrument No. 20090706-0062269 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

NOW, THEREFORE, in consideration of the premises and of the payment by Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **MCC TN, LLC** as Substitute Trustee, does hereby grant, bargain, sell and convey unto Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, its successors and assigns, in fee simple forever, the following described property, to-wit:

**FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF**

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 Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, its successors and assigns, forever, to whom the said **MCC TN, LLC** 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, **MCC TN, LLC**, has hereunto executed, on September 23, 2010.

MCC TN, LLC
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On September 23, 2010, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Patrick A. Taggart, on behalf of **MCC TN, LLC**, Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath, acknowledged that he/she executed the foregoing instrument for the purposes contained therein.

WITNESS my hand and Notarial Seal the day and year above written.

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Notary Public

My Commission Expires: _____

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 $92,800.00, 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 September 23, 2010.

Notary Public

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012

Mail Tax Notices to and Property Owner:
GMAC Mortgage, LLC
1270 Northland Drive, Suite 200
Mendota Heights, MN 55120

Map & Parcel No.: 050-03-0-B-050-000CO
Property Address: 1206 Strawberry Cove
Nashville, TN 37207

GMAC Mortgage Corporation
File No. 08-07284/Shawn Pruitt

Exhibit "A"

Land in Davidson County, Tennessee, being Lot No. 50 on the Plan of Mulberry Downs, Phase I of record in Book 7900, Page 84-88, Register's Office for said County. Said Lot No. 50 fronts 48.30 feet on the easterly margin of Strawberry Cove and extends back 100.66 feet on the Northerly line and 106.01 feet on the Southerly line to a dead line in the rear measuring 46.24 feet thereon.

Being the same property conveyed to Shawn Pruitt by deed from Thelma Hardy of record in Instrument No. 200107200077013, Register's Office for Davidson County, Tennessee.

LAW OFFICES

McCurdy & Candler, LLC

Six Piedmont Center, Suite 700
3525 Piedmont Road, NE
Atlanta, GA 30305

JULIUS A. McCURDY (1903 - 1993)
SCOTT CANDLER, JR. (1926 - 1994)
J. ROBIN HARRIS (1925 - 1989)

MAILING ADDRESS:

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Decatur, Georgia 30031

TELEPHONE: 404-373-1612
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CLARK E. CANDLER
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DONALD C. SUESSMITH, JR.
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OF COUNSEL:
REBECCA A. HOELTING
MARGARET C. COURTRIGHT
FRANK J. RHODES, JR.
H. RAIFORD HODGES, JR. (RETIRED)

*ALSO ADMITTED IN TENNESSEE

August 20, 2010

Internal Revenue Service
Attn: Technical Support- P. Jackson
801 Broadway MDP 53
Nashville, TN 37203

RE:	Our File No.:	08-07284
	Loan No.:	7433846227
	Borrower Name:	Shawn Pruitt
	Taxpayer:	**Same as above**
	SSN:	**411-23-2974**
	Property Address:	1206 Strawberry Cove Nashville, TN 37207

Dear Sir or Madam:

Our firm is in the process of foreclosing a Deed of Trust on the property at Davidson County, Tennessee, a copy of the legal description being attached herewith. The present owner(s) of record is/are Shawn Pruitt .

Our examination of the records in Davidson County, Tennessee, reveals that there is of record a Federal Tax Lien. For your identification, I am attaching copies of the Department of Treasury-Internal Revenue Service Form 668 on the above-referenced tax lien, in compliance with paragraph 7425(c) of the Internal Revenue Code, i.e., a Notice of Non-judicial Sale.

The Deed of Trust to be foreclosed by public sale was executed by Shawn Pruitt to Franklin Mortgage Funding, Inc. on March 22, 2002 in the principal amount of $90,750.00 at 14.87500 percent interest. The amount due on the day of foreclosure is approximately $108,787.24. The per diem amount is $0.00. Estimated fees and costs of foreclosure are $1,500.00. The foreclosure will take place on September 23, 2010 . The sale will be for cash.

This notice is being submitted in duplicate and I would appreciate your indicating the date and time received on the duplicate copy and returning it to the undersigned at the following address:

3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305

Yours very truly,
McCurdy & Candler, L.L.C.

Patrick A. Taggart

BY: Patrick A. Taggart

PT/ccollymore
Enclosures

SUBSTITUTE TRUSTEE'S SALE

TENNESSEE, DAVIDSON COUNTY

DEFAULT having been made in the terms, conditions and payments provided in certain Deed of Trust executed by Shawn Pruitt to American Title Company, Trustee dated March 22, 2002 in the amount of $90,750.00, and recorded in the Register's Office of Davidson County, Tennessee in Instrument No. 20020402-0039678, ("Deed of Trust"); and, the beneficial interest of said Deed of Trust having been last transferred to Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee by assignment; and, Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee, as the current owner and holder of said Deed of Trust (the "Owner and Holder"), has appointed as Substitute Trustee the undersigned, , any of whom may act, 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; therefore,

NOTICE is hereby given that the entire amount of said indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and the undersigned as Substitute Trustee, or a duly appointed attorney or agents by virtue of the power and authority vested by the Appointment of Substitute Trustee, will on Thursday, September 23, 2010 commencing at 12:00 PM at 501 Broadway at the front of Sommet Center, formerly known as Gaylord Entertainment Center, Nashville, Tennessee; sell to the highest bidder for cash, immediately at the close of sale, the following property to-wit:

Land in Davidson County, Tennessee, being Lot No. 50 on the Plan of Mulberry Downs, Phase 1 of record in Book 7900, Page 84-88, Registers Office for said County. Said Lot No. 50 fronts 48.30 feet on the easterly margin of Strawberry Cove and extends back 100.66 feet on the Northerly line and 106.01 feet on the Southerly line to a dead line in the rear measuring 46.24 feet thereon.

Being the same property conveyed to Shawn Pruitt by deed from Thelma Hardy of record in Instrument No. 200107200077013, Registers Office for Davidson County, Tennessee.

Map & Parcel No.: 050-03-0-B-050-000CO

PROPERTY ADDRESS: 1206 Strawberry Cove, Nashville, Tennessee 37207
CURRENT OWNER(S): Shawn Pruitt
SUBORDINATE LIENHOLDERS: Wells Fargo Financial Bank
OTHER INTERESTED PARTIES: Internal Revenue Service

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, however, the undersigned will sell and convey only as Substitute Trustee.

The sale will be held subject to any unpaid taxes, assessments, rights-of-way, easements, protective covenants or restrictions, liens, and other superior matters of record which may affect said property; as well as any prior liens or encumbrances as well as priority created by a fixture filing; and/or any matter that an accurate survey of the premises might disclose.

If the U.S. Department of Treasury/IRS, the State of Tennessee Department of Revenue, or the State of Tennessee Department of Labor and Workforce Development are listed as Interested Parties in the advertisement, then the Notice of this foreclosure is being given to them and the sale will be subject to the applicable governmental entities' right to redeem the property, as required by 26 U.S.C § 7425 and T.C.A. § 67-1-1433.

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Deed of Trust.

Substitute Trustee reserves the right 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.

MCC TN, LCC
3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305
McCurdy & Candler, L.L.C.
(404) 373-1612
www.mccurdycandler.com

File No. 08-07284 /CONV
Ad Run Dates: 8/26/2010, 9/2/2010, and 9/9/2010

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.