BILL GARRETT, Davidson County
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Prepared & Recorded by:
RECONTRUST COMPANY, N.A.
2380 Performance Dr, TX2-984-0407
Richardson, TX 75082

TS#:10 -0125782

ADDRESSES NEW OWNER(S) AS FOLLOWS	SEND TAX BILLS TO:	MAP PARCEL NUMBER
(NAME) BANK OF NEW YORK MELLON	(NAME) BANK OF NEW YORK MELLON	15014001400
(STREET ADDRESS OR ROUTE NUMBER) 400 National Way SV-35	(STREET ADDRESS) 400 National Way SV-35	
(CITY) (STATE) (ZIP) Simi Valley CA 93065	(CITY) (STATE) (ZIP) Simi Valley CA 93065	

SUBSTITUTE TRUSTEE'S DEED

This instrument made and entered into on this, the January 24, 2011, by RECONTRUST COMPANY, N.A., substitute trustee ("Substitute Trustee").

WHEREAS, by that certain Deed of Trust dated March 24, 2004, recorded on April 7, 2004, as Instrument No. 20040407-0039298, Register's Office for Davidson, Tennessee (the "Deed of Trust"), FREDERICK FLEMING, A MARRIED MAN AND HIS WIFE, DEBORAH FLEMING (collectively "Borrower"),conveyed to ARNOLD M. WEISS, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on March 24, 2004, (the "Note"); and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-05,, the Beneficiary under the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, Notice of the Right to Foreclose("Notice") was given in compliance with Tennessee law by the mailing a copy of the Notice to the parties at least sixty (60) days prior to the first publication of the Substitute Trustee's Sale.

WHEREAS, the undersigned, RECONTRUST COMPANY, N.A., was duly appointed as Substitute Trustee in the place and stead ARNOLD M. WEISS, said appointment being set forth on November 9, 2010, as Instrument No. 20101109-0089795 said Register's Office; and

WHEREAS, the Substitute Trustee caused the Notice of Substitute Trustee's Sale ("Notice of Sale") to be published as provided in the Deed of Trust and Note in the DAVIDSON AM that the Property would be sold on January 10, 2011, at time 2:00 PM at the door of the Davidson County Courthouse, Tennessee, such advertisement appearing in said newspaper on December 3, 2010, December 10, 2010 and December 17, 2010, a copy of such Notice of Sale sent to Borrower, the current owner of the Property, and all other parties who appeared to have any interest in the Property reflected in the records of the Register's Office of Davidson County, Tennessee, and following such Notice of Sale the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said Notice of Sale appeared and announced to to those assembled that the sale was postponed to January 24, 2011 at same time and place. On January 24, 2011 at the same time and place, the Substitute Trustee appeared and offered the Property for sale, and after opening the floor for competitive bids, sold said Property to THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-05, at the price of $112,050.00, this being the highest, last and best bid.

NOW, THEREFORE, RECONTRUST COMPANY, N.A., Substitute Trustee, in consideration of the premises and the sum of $112,050.00, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS 2004-05, ("Grantee"), its successors and assigns, all of my right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no

further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

BEING LOT NO. 37 ON THE PLAN OF LAKE TOWNE PARK, SECTION 3, AS OF RECORD IN PLAT BOOK 6900, PAGE 355, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH SAID PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION THEREOF.

Property Address: 3349 Oak Timber Dr Antioch TN 37013

Borrower's source of title is that certain **Warranty Deed**, dated **9/15/1994**, given by **Gary W. Brodnax and wife, Sharon A. Brodnax** to **Frederick Fleming and wife, Deborah Fleming** and recorded **9/20/1994 in Book 9469 Page 920**, said Register's Office. To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to (1) any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; (2) any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; (3) any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; (4) applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of Davidson County, Tennessee; (5) any governmental zoning and subdivision ordinances or regulations in effect thereon; (6) the accuracy of the Index Book of the said Register's Office; and (7) any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee on the day and date first above written.

RECONTRUST COMPANY, N.A., as Substitute Trustee
By: Carolyn Holleman 1/31/11
Print Name: Carolyn Holleman
Title: AUTHORIZED SIGNER

STATE OF TEXAS)
COUNTY OF DALLAS)

Before me, Angela Serato of the state and county aforesaid, personally appeared Carolyn Holleman of ReconTrust Company, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself/himself to be Authorized Signer of RECONTRUST COMPANY, N.A., a corporation, and that s/he as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by herself/himself as such officer.

WITNESS my hand and seal at office in Dallas, Texas this 31st day of, January 2011.

Notary Public

My commission expires:

July 27, 2013

ANGELA SERATO
My Commission Expires
July 27, 2013

STATE OF TEXAS)
COUNTY OF DALLAS)

The actual consideration or value, whichever is greater, for this transfer is $112,050.00.

Affiant 1/31/11

Sworn to and subscribed before me this 31st day of January, 2011.

Notary Public

My commission expires:

July 27, 2013

ANGELA SERATO
My Commission Expires
July 27, 2013