RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Kim Stewart

GRANTEE(s)
CitiMortgage, Inc.

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

BILL GARRETT, Davidson County
Trans:T20110015156 DEEDTRS
Recvd: 03/14/11 14:30 6 pgs
Fees:33.00 Taxes:197.40
20110314-0020158

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated March 4, 1998 and recorded April 7, 1998, at Book 10876, Page 785 in the Register's Office of Davidson County, Tennessee, Kimberly Stewart conveyed to Transcontinental, as Trustee for Associates Home Equity Services, Inc., 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 February 24, 2011 as Instrument No. 20110224-0015145 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 February 11, 2011 and was advertised a total of three times, prior to actual sale date. The HB 3588 letter was mailed to the borrower(s) on December 2, 2010 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on March 9, 2011 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 $53,350.24, 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 Co-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 Co-Trustee does hereby grant, bargain, sell, and convey to the said CitiMortgage, Inc., its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Unit 109 as created and established by the Master Deed and Bylaws for Poplar Glen, a horizontal property regime of record in Book 7534, page 591, Registers Office for said county, as amended by Amendment of record in Book 7548, Page 612, said Registers office, and as shown and described on the Plan for Poplar Glen, Phase I, of record in Book 6900, page 646, Registers Office for said county, to which reference is here made for a more complete description, together with an undivided percentage interest in the Common Elements as allocated to said Unit as set forth in said Master Deed and Bylaws, as may be from time to time amended as provided therein.
>
> Being the same property conveyed to Kim Stewart by Warranty Deed recorded May 10, 1993 , at Book 8943, Page 273, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 431 Lemont Drive, Nashville, Tennessee 37216.
>
> Tax Parcel No.: 061 05 0A 037.00

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 CitiMortgage, Inc., and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 9 day of Mar, 11.

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

Witness my hand and seal at office in Little Rock, Arkansas this 9 day of Mar, 11.

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 $53,350.24, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

J.P. Sellers
Co-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, J.P. Sellers, as Co-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 Little Rock, Arkansas, this 9 day of Mar, 11.

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:
CitiMortgage, Inc.
1000 Technology Drive
O'Fallon, MO 63304

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

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

1. I am the Co-Trustee with a certain deed of trust, dated March 4, 1998, recorded April 7, 1998, at Book 10876, Page 785 in the Register's Office of Davidson County, Tennessee, executed by Kimberly Stewart in favor of Associates Home Equity Services, Inc. to secure the payment of a deed of trust note to Associates Home Equity Services, Inc..

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 9 day of Mar, 11.

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

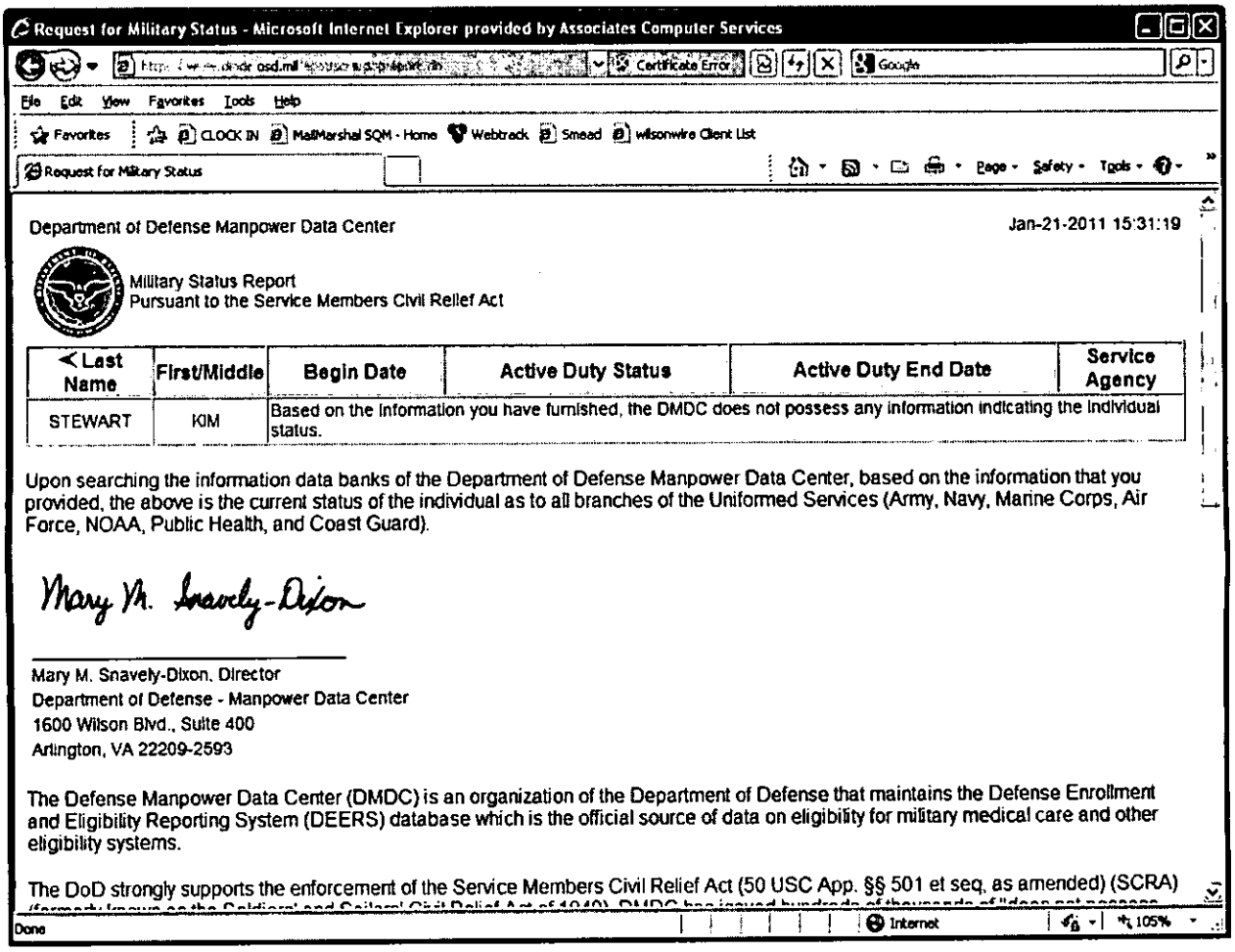
Witness my hand and seal at office in Little Rock, Arkansas this 9 day of Mar, ~~2011~~.

Notary Public

My Commission Expires: _____

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

DServiceMembersAffidavitTN_jdean_110309_1316


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
Smead
wilsonwire Client List
Request for Military Status
Page
Safety
Tools
Department of Defense Manpower Data Center
Jan-21-2011 15:31:19
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
STEWART
KIM
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
The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.
The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA)
Done
Internet
105%

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion

Total

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated March 4, 1998, and the Deed of Trust of even date securing the same, recorded April 7, 1998, at Book 10676, Page 785 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Kimberly Stewart, conveying certain property therein described to Transcontinental as Trustee for Associates Home Equity Services, Inc.; and the undersigned, Shellie Wallace of Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Shellie Wallace of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **March 9, 2011** on or about **10:00 A.M.**, at the **Bridgestone Arena, Nashville, Tennessee**, offer for sale certain property hereinafter described to the highest bidder **FOR CASH**, free from the statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Land in Davidson County, Tennessee, being Unit 109 as created and established by the Master Deed and Bylaws for Poplar Glen, a horizontal property regime of record in Book 7534, Page 501, Registers Office for said County, as amended by Amendment of record in Book 7548, Page 912, said Registers office, and as shown and described on the Plan for Poplar Glen, Phase I, of record in Book 6900, page 646, Registers Office for said County, to which reference is here made for a more complete description, together with an undivided percentage interest in the Common Elements as allocated to said Unit as set forth in said Master Deed and Bylaws, as may be from time to time amended as provided therein.

ALSO KNOWN AS: 431 Lemeat Drive, Nashville, Tennessee 37216

The HB 3588 letter was mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-5-117. This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: **Kimberly Stewart**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. The right is reserved 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. **WBA file. 017-088913**

DATED February 4, 2011
WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee
By: Shellie Wallace

FOR SALE INFORMATION, VISIT WWW.MYFR.COM and WWW.REALTYTRAC.COM

Feb. 11, 18, 25, 2011 Fg11864

PROOF OF PUBLICATION

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER, the Publisher of Westview, a weekly newspaper of general circulation, printed in the State of Tennessee and distributed throughout Davidson and Williamson County in Tennessee, states that the hereto attached publication appeared in The Westview on the following dates:

February 11, 2011
February 18, 2011
February 25, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 25th day of **February 2011**, this instrument was signed and sealed in behalf of the corporation (or association), by authority of its Board of Directors and **Catron J. Kerr** acknowledged the instrument to be the free act and deed of the corporation (or association) and that the corporation has no corporate seal.

FIT/FPS

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