192158

RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Sandra Gibson

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:T20110019696 DEEDTRS
Recvd: 04/05/11 08:32 5 pgs
Fees:27.00 Taxes:0.00
20110405-0025923

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 21, 2005 and recorded January 5, 2006, as Instrument No. 20060105-0001650 in the Register's Office of Davidson County, Tennessee, Sandra Gibson and David Gibson conveyed to Kyle Reynolds, as Trustee for First MS Capital 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 **MATTHEW SMITH** as Co-Trustee by instrument of record recorded on August 26, 2010 as Instrument No. 201008260067748 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 December 17, 2010 and was advertised a total of three times, prior to actual sale date. The HB 3588 letter was mailed to the borrower(s) on October 15, 2010 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on January 12, 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 Wells Fargo Bank NA, at and for the sum of $160,508.79, 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 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 Wells Fargo Bank NA 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 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:

Land in Davidson County, Tennessee, being Lot No. 61 on the plan of Plantation Walk, Section Two, a planned unit development, of record in Plat Book 7900, page 858, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a complete and accurate description of said lot.

Being the same property conveyed to Sandra Gibson by Quitclaim deed recorded January 5, 2006 , as Instrument No. 20060105-0001649, Register's Office for Davidson County, Tennessee.

Commonly known as: 4104 Meadowgreen Drive, Old Hickory, Tennessee 37138-2099.

Tax Parcel No.: 064150A06500CO

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 Co-Trustee has hereunto set his or her hand and seal this 13th day of January, 2011.

Matthew Smith
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, Matthew Smith, 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 13 day of Jan, 11.

Notary Public

My Commission Expires: _____

MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

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 $160,508.79, 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.

Matthew Smith
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 Matthew Smith, as Co-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 Little Rock, Arkansas, this 13 day of Jan, 11.

Notary Public

My Commission Expires: _____

MELISSA G. PERESKO
Notary Public-Arkansas
Pulaski County
My Commission Expires 09-08-2014

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Michaelson, Connor & Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

FHA No. 483-3614792

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF South Carolina

COUNTY OF York

RE: 4104 Meadowgreen Drive
Old Hickory, Tennessee 37138-2099
Debtor(s): Sandra Gibson and David Gibson

BEFORE ME, the undersigned authority, on this day personally appeared Jeannette Love-Hadden 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 December 21, 2005, recorded January 5, 2006, as Instrument No. 20060105-0001650 in the real property records of Davidson County, Tennessee, executed by Sandra Gibson and David Gibson in favor of First MS Capital Corporation to secure the payment of a deed of trust note to First MS Capital Corporation.

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 28 day of July 2010

Jeannette Love-Hadden

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 Jeannette Love-Hadden 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 28 day of July 2010

Notary Public

My Commission Expires: _____

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

RETURN TO:

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

Loan No. xxxxxx9934
FHA No. 483-3614792
DSoldierSailorAffidavit_mmcalister_100726_1518

COST OF PUBLICATION

First Insertion	**$210.00**
Second Insertion	**210.00**
Third Insertion	**210.00**
Total	**$630.00**

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 December 21, 2005, and the Deed of Trust of even date securing the same, recorded January 5, 2006, as Instrument No. 20060105-0001650 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Sandra Gibson and David Gibson, conveying certain property therein described to Kyle Reynolds as Trustee for First MS Capital Corporation; 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 **January 12, 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 Lot No. 61 on the plan of Plantation Walk, Section Two, a planned unit development, of record in Plat Book 7800, page 858, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a complete and accurate description of said lot.

ALSO KNOWN AS: 4104 Meadowgreen Drive, Old Hickory, Tennessee 37138-2039

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: **Sandra Gibson; David Gibson; Francis A. Hawthorn DPM; Plantation Walk Homeowners Association, Inc.**

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. **W&A No. 717-192158**

DATED December 13, 2010.

WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee
By: Shellie Wallace

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

Dec. 17, 24, 31, 2010 Wa11421

PROOF OF PUBLICATION

THE WESTVIEW NEWSPAPER, LLC, the Publisher of THE 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:

December 17, 2010
December 24, 2010
December 31, 2010

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **31st** day of **December 2010**, 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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