BILL GARRETT, Davidson County
Trans:T20110023007 DEEDTRS
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20110419-0030141

Prepared by and Return to:
Patrick Taggart/ccollymore 04/14/2011
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. 11-00499 /Kelli Toney and Troy Toney

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated September 12, 2006, and recorded in the Register's Office of Davidson County, Tennessee, on September 15, 2006 at Instrument No. 200609150114540, ("Deed of Trust"), Kelli Toney and Troy Toney conveyed to Bosch Title, LLC, 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 U.S. Bank National Association as Trustee; and

WHEREAS, U.S. 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. 20110413-0028474, 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 3/10/2011, 3/17/2011 and 3/24/2011. The notice requirements of T.C.A. §35-5-117 were satisfied prior to the first publication of the Notice of Substitute Trustee's Sale. The sale was held on April 14, 2011, 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 US Bank National Association as Trustee, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $59,431.75; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to US 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;

NOW, THEREFORE, in consideration of the premises and of the payment by US 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 US 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 US 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 April 14, 2011.

MCC TN, LLC
Substitute Trustee

STATE OF GEORGIA
COUNTY OF DEKALB

On April 14, 2011, 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 $59,431.75, 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 April 14, 2011.

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.: 16514002300
Property Address: 4709 Chutney Drive
Antioch, TN 37013

Exhibit "A"

Land in Davidson County, Tennessee, being Lot No. 295 on the Plan of Peppertree, Forest, Section 11, Rev. as of record in Book 8250, Page 118, Registers Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Troy Toney and Kelli Toney, husband and wife by Warranty Deed from William A. Whitworth, of record in Instrument No. 200609150114539, Registers Office for Davidson County, Tennessee.