BILL GARRETT, Davidson County
Trans:T20110039626 DEEDTRS
Recvd: 07/01/11 11:54 7 pgs
Fees:37.00 Taxes:0.00
20110701-0050594

Prepared by and Return to:
Rubin Lublin Suarez Serrano, LLC
119 S. Main Street, Suite 500
Memphis, TN 38103
BAC-10-12464

ADDRESSES NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBER:
FEDERAL HOME LOAN MORTGAGE CORPORATION	FEDERAL HOME LOAN MORTGAGE CORPORATION	058000043.00
2300 Windy Ridge Parkway SE Suite 200 North Tower Atlanta, Georgia 30339	2300 Windy Ridge Parkway SE Suite 200 North Tower Atlanta, Georgia 30339	

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by that certain Deed of Trust dated July 30, 2007 and recorded August 13, 2007, at **Instrument Number 20070813-0096447**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **Jason Potts** ("Borrower"), conveyed to Southeast Title Of Tennessee, Trustee, 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 July 30, 2007, (the "Note"), which obligation is presently held and owned by **BAC Home Loans Servicing, LP FKA Countrywide Home Loan Servicing LP**; 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, Lender, the owner and holder of the Note evidenced by the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, Rubin Lublin Suarez Serrano TN LLC, was duly appointed as Substitute Trustee in the place and stead of Southeast Title Of Tennessee, said appointment being set forth in **Instrument Number 20110415-0029252** in said Register's Office; and

WHEREAS, a Notice of the Right to Foreclose, if required pursuant to T.C.A. § 35-5-117, was given at least sixty (60) days prior to the first publication in accordance with Tennessee law; and

WHEREAS, the Substitute Trustee caused a diligent search of the Defense Manpower Data Center (DMDC) website for each known Borrower in compliance with the Service Members Civil Relief Act, and as such the foreclosure of this property is not subject to the provisions of 50 U.S.C. § 501, *et seq.;* and

WHEREAS, the Substitute Trustee caused a diligent search of the PACER website for each known Borrower and determined that Substitute Trustee was not subject to an automatic stay in bankruptcy both at the time foreclosure proceedings commenced and the time the Property was sold; and

WHEREAS, the Substitute Trustee caused notice to be published as provided for under T.C.A. § 35-5-104 and as provided in the Deed of Trust and Note in the Tennessee Tribune that the Property would be sold on May 12, 2011, at 11:00 AM at the door of the Davidson County Courthouse, Nashville Tennessee, such advertisement appearing in said newspaper on **April 21, 2011, April 28, 2011, May 5, 2011**, a copy of such notice was sent to the parties required under T.C.A. § 35-5-101(e) prior to the first publication date written above, and following such notice the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said notices appeared and announced to those assembled that the May 12, 2011 sale was postponed to June 9, 2011 at the same time and place. On June 9, 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 **BAC Home Loans Servicing, LP FKA Countrywide Home Loan Servicing LP** at the price of **Forty-Five Thousand and 00/100 ($45,000.00)** this being the highest, last and best bid; and

WHEREAS, **BAC Home Loans Servicing, LP FKA Countrywide Home Loan Servicing LP**, as successful purchaser at said sale, transferred and assigned its bid to **FEDERAL HOME LOAN MORTGAGE CORPORATION.**

NOW, THEREFORE, Rubin Lublin Suarez Serrano TN LLC, Substitute Trustee as aforesaid, in consideration of the premises and the sum of **Forty-Five Thousand and 00/100 ($45,000.00)** to

me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **FEDERAL HOME LOAN MORTGAGE CORPORATION** ("Grantee"), its successors and assigns, all of its 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:

A TRACT OR LAND IN THE 13TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, AND DESCRIBED ACCORDING TO A SURVEY MADE BY STEPHEN A. DRAPER, SEPTEMBER 25, 1956, AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF CATO ROAD, SAID POINT BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED TO JOHN DENTON AND WIFE, BILLIE CHRISTINE DENTON, BY DEED FROM ELBERT J. DAVIDSON AND WIFE, RHINEY L. DAVIDSON, OF RECORD IN BOOK 2696, PAGE 281, REGISTER`S OFFICE FOR SAID COUNTY; THENCE SOUTH 72 DEGREES 30 MINUTES WEST 445 FEET TO A POINT; THENCE NORTH 2 DEG.45 MINUTES EAST 200 FEET TO A POINT; THENCE NORTH 72 DEGREES 30 MINUTES EAST 345 FEET TO A POINT IN THE CENTER OF CATO ROAD; THENCE SOUTH 30 DEGREES EAST 200 FEET TO THE POINT OF BEGINNING.

This property is now or was formerly known as 4401 Cato Road, Nashville, TN 37218.

This entity is tax exempt.

Borrower's source of title is that certain Warranty Deed dated July 30, 2007 from Katherine Meyer Wood as the Executrix for the Estate of Josephine Donerlson Meyer to Jason Potts of record on August 13, 2007 in Instrument Number 20070813-0096446 in 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; **(7)** any right of redemption as provided for in 26 U.S.C. § 7425(d), which the Internal Revenue Service may have with respect to the Federal tax lien attached hereto, taking into account the fact that the Internal Revenue Service has been notified of the foreclosure sale pursuant to 26 U.S.C. § 7425(c); and **(8)** 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 this ___ day of JUN 21 2011, 20___.

Rubin Lublin Suarez Serrano TN LLC

Printed Name: Carolee Berrios
Title: Member

STATE OF GEORGIA)
COUNTY OF GWINNETT)

Before me, Najur H. Bowser, of the state and county aforesaid, personally appeared, Carolee Berrios, of Rubin Lublin Suarez Serrano TN LLC, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be a Member of Rubin Lublin Suarez Serrano TN LLC, a Limited Liability Company, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the Limited Liability Company by himself/herself as such officer.

WITNESS my hand and seal at office in NORCROSS GEORGIA, this ___ day of JUN 21 2011, 20___.

Notary Public

NAJUR H BOWSER NOTARY PUBLIC FULTON COUNTY EXPIRES GEORGIA SEPT. 22, 2014

My commission expires:

STATE OF GEORGIA
COUNTY OF GWINNETT)

The actual consideration or value, whichever is greater, for this transfer is $45,000.00.

Affiant

Sworn to and subscribed
before me this ___ day of JUN 21 2011, 20___.

Notary Public

My commission expires:

NAJUR H BOWSER NOTARY PUBLIC FULTON COUNTY EXPIRES GEORGIA SEPT. 22, 2014

Exhibit A

RUBIN LUBLIN SUAREZ SERRANO, LLC

Attorneys and Counselors at Law
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (888) 890-5309
FAX (404) 601-5846

April 13, 2011

RECEIVED
2011 APR 15 PM 2:37
INTERNAL REVENUE SERVICE
TEGE/SB/SE
NASHVILLE, TN

VIA FEDEX

Internal Revenue Service (TN)
C/O Ellen Dolby
801 Broadway
MDP53
Nashville, TN 37203-3804

Re: Notice of Federal Tax Lien/Consent to Sell

File Number	**10-12464**
Lender's Loan No.	**XXXXX3980**
Name Per Client:	**Jason Potts**
SSN:	**XXX-XX-3659**
Property Address:	**4401 Cato Road, Nashville, TN 37218**

Dear Sir or Madam:

Please file stamp one of the copies of the Notice of Federal Tax Lien and return to my office in the envelope provided. Our office will need a file stamped copy of the notice showing receipt of the document by the Internal Revenue Service.

Sincerely,

RUBIN LUBLIN SUAREZ SERRANO, LLC

By: _____
Foreclosure Counsel

Enclosures

Exhibit B

RUBIN LUBLIN SUAREZ SERRANO, LLC

ATTORNEYS AND COUNSELERS AT LAW
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (888) 890-5309
FAX (404) 601-5846

April 13, 2011

VIA FEDEX

Internal Revenue Service (TN)
C/O Ellen Dolby
801 Broadway
MDP53
Nashville, TN 37203-3804

Re: Notice of Federal Tax Lien/Consent to Sell

Case Number:	**BAC-10-12464-1**
Name Per Client:	**Jason Potts**
SSN:	**XXX-XX-3659**
Property Address:	**4401 Cato Road, Nashville, TN 37218**

Dear Sir or Madam:

I am writing to advise you that BAC HOME LOANS SERVICING, L.P. fka COUNTRYWIDE HOME LOANS SERVICING, L.P. has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on May 12, 2011. Enclosed is a copy of the Notice of Substitute Trustee's Sale which is being published in the Davidson County legal newspaper. The recording information for the Security Deed and subsequent assignments, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required by law, we have attached a copy of the specific federal tax lien(s) found. We are not certain but believe that the parties named in the federal tax lien are the same as the above-referenced borrower's Social Security Number, ending in Jason Potts – XXX-XX-3659, or other predecessors in title.

The unpaid principal balance of the loan against the above-referenced property is approximately $102,007.25. Interest through the sale date is approximately $2874.13. Costs associated with the sale should be approximately $590.00 and the attorney fees will range from $500.00 to the maximum allowable by Tennessee law.

If you should have any questions about this matter, please do not hesitate to contact this office at (888) 890-5309.

Sincerely,

RUBIN LUBLIN SUAREZ SERRANO, LLC

By: _____
Foreclosure Counsel

Enclosures

1. Notice of Substitute Trustee's Sale
2. Copies of Federal Tax Liens

cc: BAC

3592

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
644045810

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

BILL GARRETT, Davidson County
Trans:T20100023553 LIENFTL
Recvd: 04/21/10 08:58 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20100421-0029981

Name of Taxpayer JASON D POTTS

Residence 4415 CATO RD
NASHVILLE, TN 37218-3703

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2001	XXX-XX-3659	11/22/2004	12/22/2014	576.00
1040	12/31/2002	XXX-XX-3659	11/22/2004	12/22/2014	1639.02
1040	12/31/2006	XXX-XX-3659	07/09/2007	08/08/2017	2921.60
1040	12/31/2007	XXX-XX-3659	06/02/2008	07/02/2018	4143.53
1040	12/31/2008	XXX-XX-3659	06/01/2009	07/01/2019	2370.32

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 11650.47

This notice was prepared and signed at NASHVILLE, TN, on this,

the 13th day of April, 2010

Signature R. A. Mitchell
for THERESA HARLEY

Title
ACS
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X