FILE NO.: 221.1100281TN\P

BILL GARRETT, Davidson County
Trans:T20110040978 DEEDTRS
Recvd: 07/08/11 09:56 2 pgs
Fees:12.00 Taxes:0.00
20110708-0052324

THIS INSTRUMENT PREPARED
BY & RETURN TO:
Nationwide Trustee Services, Inc.
1587 N.E. Expressway
Atlanta, GA 30329

# SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 11, 2008 and recorded in the Register's Office of Davidson County, TN, at Instrument 20080714-0071882, ("Deed of Trust")Patrick Miller conveyed to Larry A. Weissman, 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 SunTrust Mortgage Inc.; and

WHEREAS, **SunTrust Mortgage Inc.,** being the owner and holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at **Instrument 20110404-0025649** in the Register's Office of Davidson County, TN; and

WHEREAS, pursuant to Tenn. Code Ann. § 35-5-117 (i), not less than sixty (60) days prior to the first publication required by § 35-5-101, the notice of the right to foreclose was properly sent, if so required; 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 conformity with the laws of TN and the terms and provisions of said Deed of Trust on 3/11/2011, 03/18/2011, 03/25/2011, in THE NASHVILLE RECORD, by which advertisement the sale was held on May 05, 2011, at the corner of Fifth and Broadway at the Main Entrance to the Sommet Center F/K/A Gaylord Entertainment Center in Nashville, Davidson County, TN, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, Phil Young, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale **SunTrust Mortgage Inc.**, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $175,504.56; and

WHEREAS, the said owner and holder of the debt has assigned its interests in the said property to the Secretary of Housing and Urban Development, Washington, D.C., his/her successors and assigns; and

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 SunTrust Mortgage Inc. as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned **Nationwide Trustee Services, Inc.**, as Substitute Trustee, does hereby grant, bargain, sell and convey unto **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of TN:

Land in Davidson County, Tennessee, being Lot No. 217, on the Plan of Pinnacle Point, Phase 5, of record in Plat Book 8250, page 842, Amended in Book 11114, Page 958, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description. Being the same property conveyed to Patrick Miller, an unmarried man by Warranty Deed from Daniel Lawrence Ness and wife, Sharon Marie Ness as recorded in Instrument No. 200807140071881, Register's Office of Davidson County, Tennessee

The last recorded Warranty Deed was filed of record at Instrument 200807140071881 in the Register's Office of Davidson County, TN.

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 **Secretary of Housing and Urban Development**, Washington, D.C., his successors and assignsforever, to whom the said, **Nationwide Trustee Services, Inc.**, 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, **Nationwide Trustee Services, Inc.**, Substitute Trustee, has hereunto set his hand, this 05th day of May, 2011.

**Nationwide Trustee Services, Inc.**
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 05th day of May, 2011, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Germaine Duncan, with whom I am personally acquainted (or proved on the basis of satisfactory evidence to be the person), and who, upon his or her oath, acknowledged himself or herself to be the Assistant Vice President of **Nationwide Trustee Services, Inc.**, the within named bargainor, and as such officer or member being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by subscribing thereto the name of the corporation by himself or herself as such officer or member.

WITNESS my hand and Notarial Seal the day and year above written.

ASHLEY M. PENGELLY NOTARY EXPIRES GEORGIA MAY 27, 2012 PUBLIC GWINNETT COUNTY

Notary Public

My Commission Expires:

**NO TAX – GOVERNMENTAL AGENCY**

STATE OF GEORGIA, DeKALB COUNTY
or we hereby swear or affirm that the actual consideration for this transfer of the property transferred in $ zero which amount is equal to or greater than the ___ amount which the property transferred would command at a fair voluntary sale.

Subscribed and sworn to before me this 5th day of May, 2011

Notary Public

ASHLEY M. PENGELLY NOTARY EXPIRES GEORGIA MAY 27, 2012 PUBLIC GWINNETT COUNTY

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**File No.: 221.1100281TN (Miller)**
**Property Address: 1608 Clingmans Court, Antioch, TN 37013**
**Tax Parcel ID No.: 135-14-0A-217.00-C0**

Mail Tax Notices To and Property Owner:

Secretary of Housing and Urban Development
Attention: Single-Family Property Disposition Branch
Cumberland Bend Office Center
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803