PREPARED BY AND RETURN TO:
Shapiro & Kirsch, LLP, Attorney
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
Fax (901)761-5690

BILL GARRETT, Davidson County
Trans:T20110042138 DEEDTRS
Recvd: 07/13/11 11:21 3 pgs
Fees:18.00 Taxes:281.20
20110713-0053552

Name: Rick E. Phillips, and April D. Phillips

S&K#: 11-015515

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 12, 2007, recorded in Instrument No. 20080103-0000600 in the Register's Office of Davidson County, Tennessee, Rick E. Phillips and April D. Phillips, husband and wife conveyed to Secure Title & Escrow, LLC, Trustee, 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, LPP Mortgage LTD appointed the undersigned as Substitute Trustee by Instrument of record in Instrument No. 201104040025625, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and Notice of the Right to Foreclose has been timely given in compliance with Tennessee Code Annotated §35-5-117.

WHEREAS, LPP Mortgage LTD requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, pursuant to T.C.A. § 35-5-101 Notice of the Foreclose Sale including the date, time, location, and terms of the sale was timely given by mailing a copy of the Notice of Sale by registered or certified mail, return receipt requested, to all parties entitled to said notice.

WHEREAS in pursuance of said request by said LPP Mortgage LTD, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on June 24, 2011, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 1:00PM; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 LPP Mortgage LTD, whose address is Cenlar FSB, 425 Phillips Boulevard, Ewing, New Jersey 08618, at and for the sum of $76,000.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by LPP Mortgage LTD the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said LPP Mortgage LTD his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 12 on the unrecorded plan of the Core Subdivision, and described according to a copy of a survey thereof made by Anderson and Gee, dated April 1946, more particularly described as follows:

Beginning at a point in the Southerly margin of Due West Avenue at the common corner of Lots Numbers 12 and 13; thence Southerly with the line between said Lots 150 feet to a point in the North line of Lot Number 17; thence Westerly along the line between Lots Numbers 12, 17 and 18, 75 feet to the Southwest corner of Lot Numbers 11 and 12, 150 feet to the Southerly margin of Due West Avenue; thence along the margin of said Avenue, Easterly 75 feet to the beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20080103-0000600 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument No. 20080103-0000600 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Book 9701, Page 128, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens and any other matter of record.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto LPP Mortgage LTD his successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

Ashley M. Jones, Authorized Agent
D. Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 30 day of June, 2011, before me, a Notary Public, in and for said State and County, personally appeared Ashley Jones, with whom I am personally acquainted, and who, upon oath acknowledged to be Authorized Agent of Shapiro & Kirsch, LLP the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

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

TRACY L. SHARP STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 11/02/2013

My commission expires:

Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $76,000.00 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 the date written above.

TRACY L. SHARP STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 11/02/2013

My commission expires:

Notary Public

PROPERTY ADDRESS: 326 East Due West Avenue, Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
LPP Mortgage LTD
425 Phillips Boulevard
Ewing, New Jersey 08618

S & K File #11-015515
Map & Parcel -05112007800

PREPARED BY AND RETURN TO:
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COST OF PUBLICATION

First Insertion [redacted]
Second Insertion [redacted]
Third Insertion [redacted]

Total [redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on June 24, 2011 at 1:00 PM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Rick E. Phillips and April D. Phillips, husband and wife, to Secure Title & Escrow, LLC, Trustee, on December 12, 2007 at Instrument No. 20080103-0000800; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: LPP Mortgage LTD

The following real estate located in Davidson County, Tennessee, will be sold to the highest cash bidder subject to all unpaid taxes, prior liens and encumbrances of record:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 12 on the unrecorded plan of the Core Subdivision, and described according to a copy of a survey thereof made by Anderson and Gee, dated April 1946, more particularly described as follows: Beginning at a point in the Southerly margin of Due West Avenue at the common corner of Lots Numbers 12 and 13; thence Southerly with the line between said Lots 150 feet to a point in the North line of Lot Number 17; thence Westerly along the line between Lots Numbers 12, 17 and 18, 75 feet to the Southwest corner of Lot Numbers 11 and 12, 150 feet to the Southerly margin of Due West Avenue; thence along the margin of said Avenue, Easterly 75 feet to the beginning.

Street Address: 326 East Due West Avenue, Madison, Tennessee 37115

Current Owner(s) of Property: Rick E. Phillips and wife, April D. Phillips

The street address of the above described property is believed to be 326 East Due West Avenue, Madison, Tennessee 37115, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

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.

If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder.

This property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded at any time.

This office is a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Shapiro & Kirsch, LLP Substitute Trustee
www.kirschattorneys.com
Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690

File No. 11-015515
May 27, June 3, 10, 2011 Fg12523

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:

May 27, 2011
June 3, 2011
June 10, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 10th day of **June 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

11-015515