FILE NO.: 221.1100358TN\EDV

BILL GARRETT, Davidson County
Trans:T20110061396 DEEDTRS
Recvd: 10/03/11 13:44 2 pgs
Fees:12.00 Taxes:0.00
20111003-0076491

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 June 19, 2009 and recorded in the Register's Office of Davidson County, TN, at Instrument Number 20090624-0058854, ("Deed of Trust")Claudia J. Garcia and Melvin Sanchez 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 Number 201104110027665** 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 02/18/2011, 02/25/2011, 03/04/2011, in THE NASHVILLE RECORD, by which advertisement the sale was held on April 14, 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 $143,158.53; 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:

Being all of Lot No. 94, Final Plat, Phase I, Section II, The Preserve at Old Hickory, "Cluster Lot Subdivision", according to plat and survey appearing in Instrument Number 20061031-0135248 of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of location and description of said lot. Being the same property conveyed to Claudia J. Garcia, a married woman, by deed from Ole South Properties, Inc., a Tennessee Corporation, dated June 19, 2009, appearing of record in Instrument Number 200906240058853 of the Register's Office of Davidson County, Tennessee. This conveyance is made subject to Declaration of Covenants, Restrictions and Conditions contained in instrument of record in Instrument Number 20060824-0104548, and in Instrument Number 20061208-0152023 ; Easement to Tennessee Telephone Company of record in Instrument Number 20061013-0127087; Easement to Colonial Pipeline of record in Book 4542, page 131, in Book 3616, page 453 in Book 3570, page 13 and in Book 3571, page 599; Easement of record din Book 4425, page 582, and in Book 2346, page 378; Declaration of Taking to United States of America (TVA) of record in Book 11335, page 609, and in Instrument Number 20021017-0127752; ;Storm water Detention Agreement of record in Instrument Number 20041103-0132562; Charter of Homeowners' Association of record in INstrumetn Number 200608242-0104548; Easement to TDS Telecom of record in Instrument Number 20061031-0127208; and to any and all matters shown on said plat and survey of record in Instrument Number 20061031-0135248; all of said Register's Office. Melvin Sanchez joins herein solely for the purpose of consenting to this deed of trust and releasing and conveying to the Trustee, any and all rights, title, and interest he may have in the property, whether arising by virtue of marriage or otherwise.

The last recorded Warranty Deed was filed of record at Instrument Number 200906240058853 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 14th day of April, 2011.

Nationwide Trustee Services, Inc.
Substitute Trustee

STATE OF GEORGIA

COUNTY OF DEKALB

On this 14th day of April, 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.

Notary Public

KELECHI UBOZOH NOTARY PUBLIC GWINNETT COUNTY EXPIRES GEORGIA NOV. 23, 2014

My Commission Expires: NOV 23 2014

NO TAX – GOVERNMENTAL AGENCY

****

File No.: 221.1100358TN (Garcia)
Property Address: 5193 Preserve Boulevard, Antioch, TN 37013
Tax Parcel ID No.: 175-06-0A-138.00-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

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

Affiant

Subscribed and sworn to before me this ___ day of ___ 201

Notary Public

KELECHI UBOZOH NOTARY PUBLIC GWINNETT COUNTY EXPIRES GEORGIA NOV. 23, 2014