RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Richard J. Stewart

GRANTEE(s)
Bank of America, N.A.

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

BILL GARRETT, Davidson County
Trans:T20110065484 DEEDTRS
Recvd: 10/19/11 14:04 10 pgs
Fees:53.00 Taxes:547.60
20111019-0081457

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 4, 2003 and recorded December 22, 2003, as Instrument No. 20031222-0181935 in the Register's Office of Davidson County, Tennessee, Richard J. Stewart and Molly M. Stewart conveyed to PRLAP, Inc., as Trustee for Bank of America, N.A., 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, Bank of America, N.A. has appointed **SHELLIE WALLACE** as Successor Trustee and **DEANNA DORROUGH** as Co-Trustee by instrument of record recorded on August 12, 2011 as Instrument No. 201108120062380 in 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 Bank of America, N.A. has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on July 8, 2011 and was advertised a total of three times, prior to actual sale date. The HB 3588 letter was mailed to the borrower(s) on May 5, 2011 pursuant to Tennessee Code Annotated 35-5-117; and announcing the scheduled sale date of August 10, 2011; and on said date the sale was announced to be postponed to September 7, 2011; and on said date the sale was announced to be postponed to October 5, 2011; and

WHEREAS, pursuant to said advertisement and notice, on October 5, 2011 at the Bridgestone Arena in Nashville, Tennessee, 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 Bank of America, N.A., at and for the sum of $148,000.00, that being the highest and best bid offered; and

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

NOW, THEREFORE, in consideration of the premises and the payment by Bank of America, N.A. of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Co-Trustee does hereby grant, bargain, sell, and convey to the said Bank of America, N.A., its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot Number 20 on the Plan of Villages of Brentwood, Phase Eleven of record in Book 9700, page 949, Register's 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 Richard J. Stewart, married by Warranty Deed recorded July 7, 2000, as Instrument No. 200007070067465, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 821 Tintern Abbott Court, Nashville, Tennessee 37211.
>
> Tax Parcel No.: 161100B17400CO

The above-described property is conveyed subject to the rights of the United States of America to redeem the property as provided for in 26 U.S.C. §7425(d)(1).

TO HAVE AND TO HOLD the said real property above described, together with the privileges and

appurtenances and hereditaments thereunto belonging or in any way appertaining unto Bank of America, N.A., and unto its successors and assigns.

IN WITNESS WHEREOF, the said Trustee has hereunto set his or her hand and seal this 12 day of Oct, 2011.

Shellie Wallace
Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Shellie Wallace, as Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 12 day of Oct., 2011.

Mary Barnes
County Of Pulaski
Notary Public - Arkansas
My Commission Exp. 08/18/2014

Mary Barnes
Notary Public

My Commission Expires: 8.18.2014

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $148,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Shellie Wallace
Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Shellie Wallace, as Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the foregoing Form For Oath for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas, this 12 day of Oct., 2011.

Mary Barnes
County Of Pulaski
Notary Public - Arkansas
My Commission Exp. 08/18/2014

Mary Barnes
Notary Public

My Commission Expires: 8.18.2014

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Bank of America, N.A.
7105 Corporate Drive
Mail Stop PPX-C-35
Plano, TX 75024

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who after being duly sworn, deposed and stated:

1. I am the Successor Trustee with a certain deed of trust, dated December 4, 2003, recorded December 22, 2003, as Instrument No. 20031222-0181935 in the Register's Office of Davidson County, Tennessee, executed by Richard J. Stewart and Molly M. Stewart in favor of Bank of America, N.A. to secure the payment of a deed of trust note to Bank of America, N.A..

2. Bank of America, N.A. is the holder of or agent for the holder of the indebtedness secured by said deed of trust.

3. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least three (3) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

4. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C.S. §501, *et seq.* (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 06 day of Oct ; 2011.

Shellie Wallace
Affiant

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Shellie Wallace, Successor Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Successor Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 6 day of Oct., 2011.

M. Barnes

Notary Public

My Commission Expires: 8-18-2014

DServiceMembersAffidavitTN_mokere_111005_1334

Mary Barnes
County Of Pulaski
Notary Public - Arkansas
My Commission Exp. 08/18/2014

Department of Defense Manpower Data Center

Oct-05-2011 07:33:38

Web page snapshots at 10/5/2011 10:30:15 AM

Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
STEWART	RICHARD J	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL http://www.defenselink.mil/faq/pis/PC09SLDR.html. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More Information on "Active Duty Status"
Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases
Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:EPNT0GCRJN

Department of Defense Manpower Data Center

Oct-05-2011 07:33:37

Web page snapshots at 10/5/2011 10:30:13 AM

Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
STEWART	MOLLY M	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

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More information on "Active Duty Status"
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Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:C0PH4R9FAE

WILSON & ASSOCIATES, P.L.L.C.
Attorneys at Law – Arkansas and Tennessee
1521 Merrill Drive, Suite D-220
Little Rock AR 72211
501-219-9388; Fax: 501-219-9458
Internet: www.wilson-assoc.com

July 5, 2011

INTERNAL REVENUE SERVICE
Attention: Wendy Smoot
801 Broadway, **MDP 53**
Nashville, Tennessee 37203

91 7108 2133 3939 2371 8095

RE: Richard J. Stewart and Molly M. Stewart
821 Tintern Abbott Court
Nashville, Tennessee 37211
Loan No. 870885117 / W&A No. 726-160875

Dear Ms. Smoot:

By this certified letter, notice is hereby given pursuant to 26 U.S.C. §7425(b) of a foreclosure of a deed of trust superior to a federal tax lien filed against the Defendant, Richard Stewart and Molly Stewart, said lien being more particularly described in the enclosed sale notice. In addition, the following information is provided in regard to the above-referenced non-judicial foreclosure sale:

1. @@@@@ @@@@@
BAC Home Loans Servicing, LP
7105 Corporate Drive
Mail Stop PPX-C-35
Plano, TX 75024

2. A copy of the federal tax lien(s);

3. A copy of the property description and title opinion;

4. Sale date and location: August 10, 2011 at 10:00 A.M. at the Bridgestone Arena in Nashville, Tennessee; and

5. The principal balance due is $166,082.44; and the approximate legal fees and costs are $2,500.00.

W

Thank you for your consideration and attention to this matter. Should you have any questions, please contact me at (501) 219-9388 (or facsimile at (501) 219-9458)).

Sincerely,

WILSON & ASSOCIATES, P.L.L.C.

Deanna Dorrough

Enclosures

cc w/enc:
@@@@@ @@@@@

CtoIRS_mcagle_110705_1047

3592

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

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
WAGE & INVESTMENT AREA #3
Lien Unit Phone: (800) 829-7650

Serial Number
471819408

For Optional Use by Recording Office

Davidson County LIENFTL
Recvd: 09/17/08 09:12 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20080917-0094906

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.

Name of Taxpayer RICHARD & MOLLY STEWART

Residence 821 TINTERN ABBOTT CT
NASHVILLE, TN 37211-7146

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	12/31/2003	XXX-XX-0203	12/25/2006	01/24/2017	21589.90
1040	12/31/2004	XXX-XX-0203	12/25/2006	01/24/2017	22094.84
1040	12/31/2005	XXX-XX-0203	12/25/2006	01/24/2017	14166.34
				Total	$ 57851.08

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

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

the 09th day of September, 2008.

Signature R. A. Mitchell
for DEBRA K. HURST

Title
ACS
(800) 829-7650

13-00-0000

(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

COST OF PUBLICATION

First Insertion	**$210.00**
Second Insertion	**210.00**
Third Insertion	**210.00**
Total	**$630.00**

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated December 4, 2003, and the Deed of Trust of even date securing the same, recorded December 22, 2003, as Instrument No. 20031222-0181935 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Richard J. Stewart and Molly M. Stewart, conveying certain property therein described to PRLAP, Inc. as Trustee for Bank of America, N.A.; and the undersigned, Shellie Wallace of Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Shellie Wallace of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on August 10, 2011 on or about 10:00 A.M., at the Bridgestone Arena, Nashville, Tennessee, offer for sale certain property hereinafter described to the highest bidder FOR CASH, free from the statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Land in Davidson County, Tennessee, being Lot Number 20 on the Plan of Villages of Brentwood, Phase Eleven of record in Book 9700, Page 943, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

ALSO KNOWN AS: 821 Tatum Abbott Court, Nashville, Tennessee 37211.

The HB 3588 letter was mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-5-117. This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: Richard J. Stewart; Molly M. Stewart; Brentwood Summit Homeowners Association; GE Money Bank assignee of Preferred Value; Internal Revenue Service; GE Money Bank; Ford Motor Credit Company LLC; LVNV Funding LLC

On or about September 17, 2008, the United States of America, Internal Revenue Service, filed a federal tax lien against the Defendant, Richard Stewart and Molly Stewart, recorded in the Register's Office of Davidson County, Tennessee, as Instrument No. 20080917-0094906. Any interest in the property held by the United States of America, Internal Revenue Service, by virtue of the aforementioned federal tax lien is both junior and inferior to the interests held by Bank of America, N.A.. Provided, however, that the United States of America, Internal Revenue Service, pursuant to 26 U.S.C. §7425 and 28 U.S.C. §2410(c), shall have one hundred and twenty (120) days from the date of the sale within which to redeem the property by virtue of its tax lien(s) herein by payment of the actual amount paid by the purchaser at the foreclosure sale, plus any amount in excess of the expenses necessarily incurred in connection with such property, less the income from such property, plus a reasonable rental value of such property. As required by 26 U.S.C. §7425(b), the United States of America, Internal Revenue Service has been given timely notice of this action.

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. WAA No. 726-180878

DATED July 1, 2011

WILSON & ASSOCIATES, P.L.L.C., Successor Trustee
By: Shellie Wallace

FOR SALE INFORMATION, VISIT WWW.SERVICELINK.COM and WWW.AUCTIONTRAC.COM

July 8, 15, 22, 2011 Rg112824

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:

July 8, 2011
July 15, 2011
July 22, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 22nd day of **July 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

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