RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
William Moxley and Deborah Moxley

GRANTEE(s)
The Secretary of Housing and Urban Development, his/her successors and/or assigns

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:T20110077573 DEEDTRS
Recvd: 12/08/11 08:38 11 pgs
Fees:57.00 Taxes:0.00
20111208-0095739

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated January 28, 2000 and recorded February 1, 2000, as Instrument No. 200002010010555 in the Register's Office of Davidson County, Tennessee, William C. Moxley and Deborah D. Moxley conveyed to Denise Haraseviat, as Trustee for GMAC Mortgage Corporation, 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, GMAC Mortgage, LLC has appointed **SHELLIE WALLACE** as Successor Trustee and **J.P. SELLERS** as Co-Trustee by instrument of record recorded on April 14, 2011 as Instrument No. 20110414-0028800 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 GMAC Mortgage, LLC 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; announcing the scheduled sale date of March 16, 2011; and on said date the sale was announced to be postponed to April 13, 2011;said advertisement began on April 29, 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 December 2, 2010 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on June 1, 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 GMAC Mortgage, LLC, at and for the sum of $74,392.07, that being the highest and best bid offered; and

WHEREAS, the said GMAC Mortgage, LLC has assigned its interest in said property to The Secretary of Housing and Urban Development, his/her successors and/or assigns; 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 GMAC Mortgage, LLC 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 Secretary of Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

Being Lot Number 36 and part of Lot Number 35 Block B on the plan of the Revised Plan of Myatt-Eagan Subdivision of record in Plat Book 1424 at page 107, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate description.

Being the same property conveyed to William Moxley and Deborah Moxley by Warranty Deed recorded February 1, 2000 , as Instrument No. 200002010010554, Register's Office for Davidson County, Tennessee.

Commonly known as: 139 Eagan Circle, Madison, Tennessee 37115.

Tax Parcel No.: 043 12 0 038.00

The above-described property is conveyed subject to the rights of the State of Tennessee to redeem the property as provided for in §67-1-1433(c)(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 The Secretary of Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 1 day of June, 11.

J.P. Sellers
Co-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, J.P. Sellers, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 1 day of June, 11.

Notary Public

My Commission Expires:

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

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 $74,392.07, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes pursuant to TCA. § 13-23-127.

J.P. Sellers
Co-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, J.P. Sellers, as Co-Trustee, with who I am personally acquainted, and whom acknowledged that such person executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas, this 1 day of June, 11.

Notary Public

My Commission Expires:

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Michaelson, Connor & Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

FHA No. 483-277976-9-703

902-12298
0/1

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

May 2, 2011

Shellie Wallace
Wilson & Associates, P.L.L.C.
1521 Merrill Dr., Suite D-220
Little Rock, AR 72211

Re: Foreclosure Sale of Property Owned by: **William C Moxley**
Entity Number: **002 XXX-XX-3095/000**
W&A# 483-277976-9-703

This is in reference to your letter dated April 27, 2011 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **June 1, 2011** is **$7,071.77**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Lien Desk 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*

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

April 25, 2011

Ms. Becky Tellas
Tennessee Department of Revenue
P.O. Box 190665
Nashville, Tennessee 37219-0665

RE: William C. Moxley and Deborah D. Moxley
139 Eagan Circle
Madison, Tennessee 37115
W&A No. 902-122982
FHA No. 483-277976-9-703

Dear Ms. Tellas:

Pursuant to the above-referenced nonjudicial foreclosure proceeding, enclosed are copies of the following documents:

1. Notice of Trustee's Sale;
2. Tennessee State Tax Lien; and
3. First and last pages from the Deed of Trust pertinent to the subject property.

By virtue of this letter, I am giving notice as required of a possible state tax lien filed against the Defendant, William C. Moxley, said lien being more particularly described in the enclosed Notice of Trustee's Sale.

Thank you for your consideration and attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,

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

Shellie Wallace

Enclosures
cc w/enc.: @@@@@ @@@@@ @@@@@

CtoStateTaxDeptreLienTN-NJ_awoodard_110425_857

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

April 25, 2011

Ms. Becky Tellas
Tennessee Department of Revenue
P.O. Box 190665
Nashville, Tennessee 37219-0665

91 7108 2133 3939 2393 0138

RE: William C. Moxley and Deborah D. Moxley
139 Eagan Circle
Madison, Tennessee 37115
W&A No. 902-122982
FHA No. 483-277976-9-703

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Thank you for your consideration and attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,

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

Shellie Wallace

Enclosures
cc w/enc.: @@@@@ @@@@@ @@@@@

CtoStateTaxDeptreLienTN-NJ_awoodard_110425_857

N0009601

7566129110317

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:	ENTITY ID:
WILLIAM C MOXLEY	002 XXX-XX-3075/000
D/B/A: BILL'S IRON WORK	002 XXX-XX-3075
139 EAGAN CIR	
MADISON TN 37115-4234	COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on March 18, 2011.

COMMISSIONER OF REVENUE

By: William E. Hasha

Delegate of Commissioner

FOR REGISTER USE ONLY .... PRINT OR STAMP

BOOK NO	PAGE NO.	DATE	TIME

REGISTER: BILL GARRETT, Davidson County
Trans:T20110016945 LIENSTL
Recvd: 03/23/11 08:50 1 pgs
Fees:12.00 Taxes:0.00
20110323-0022444

BY: _____

RV-N0009601

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 Co-Trustee with a certain deed of trust, dated January 28, 2000, recorded February 1, 2000, as Instrument No. 200002010010555 in the Register's Office of Davidson County, Tennessee, executed by William C. Moxley and Deborah D. Moxley in favor of GMAC Mortgage Corporation to secure the payment of a deed of trust note to GMAC Mortgage Corporation.

2. GMAC Mortgage, LLC 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 1 day of June, 11.

J.P. Sellers
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, J.P. Sellers, Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 1 day of June, 2011.

Notary Public

My Commission Expires: _____

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

FHA No. 483-277976-9-703
DServiceMembersAffidavitTN_jdean_110601_1206

Department of Defense Manpower Data Center

Jan-12-2011 13:18:53

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
MOXLEY	DEBORAH	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.

Department of Defense Manpower Data Center

Jan-12-2011 13:16:06

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
MOXLEY	WILLIAM	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
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COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion

Total

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 January 28, 2000, and the Deed of Trust of even date securing the same, recorded February 1, 2000, as Instrument No. 200002010010555 in Office of the Register of Deeds for Davidson County, Tennessee, executed by William C. Moxley and Deborah D. Moxley, conveying certain property therein described to Denise Hansevlet as Trustee for GMAC Mortgage Corporation; 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 June 1, 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:

Being Lot Number 36 and part of Lot Number 35 Block B on the plan of the Revised Plan of Myatt-Eagan Subdivision of record in Plat Book 1434 at Page 107, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate description.

ALSO KNOWN AS: 139 Eagan Circle, Madison, Tennessee 37115

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: William C. Moxley; Deborah D. Moxley; Nashville Housing Fund, Inc.; Child Support Enforcement; CACV of Colorado; Tennessee Department of Revenue

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. WMA No. 963-122962

DATED April 25, 2011

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

FOR SALE INFORMATION, VISIT WWW.MYBR.COM and WWW.REALTYTRAC.COM

Apr. 29, May 6, 13, 2011 Pg12396

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:

April 29, 2011
May 6, 2011
May 13, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 13th day of **May 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

54