RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Gina M. Klassen and Andrew M. Klassen

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:T20110082488 DEEDTRS
Recvd: 12/29/11 12:50 7 pgs
Fees:37.00 Taxes:0.00
20111229-0101833

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated September 20, 2010 and recorded September 24, 2010, as Instrument No. 20100924-0076164 in the Register's Office of Davidson County, Tennessee, Gina M. Klassen and Andrew M. Klassen a/k/a Andy Klassen conveyed to Frank Alvstad, 401 Church St Ste 2900, Nashville, TN 37219, as Trustee for Fifth Third Mortgage Company, 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, Fifth Third Mortgage Company has appointed **Wilson & Associates, PLLC** as Successor Trustee by instrument of record recorded on November 21, 2011 as Instrument No. 20111121-0090827 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 Fifth Third Mortgage Company 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 October 28, 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 August 22, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on November 23, 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 Fifth Third Mortgage Company, at and for the sum of $120,669.81, that being the highest and best bid offered; and

WHEREAS, the said Fifth Third Mortgage Company 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 Successor 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 Fifth Third Mortgage Company of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor 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:

Situated in the County of Davidson and State of Tennessee:

Land in Davidson County, Tennessee, being Lot No. 39 on the plan of Fairway View, as of record in Book 2900, Page 41, Register's Office for said County, to which plan reference is hereby make for a more complete and detailed description of said lot.

Being the same property conveyed to Gina M. Klassen and Andrew M. Klassen by Quitclaim deed recorded July 27, 2007 , as Instrument No. 20070727-0089615, Register's Office for Davidson County, Tennessee.

Commonly known as: 102 Ryburn Drive, Old Hickory, Tennessee 37138.

Tax Parcel No.: 053 02 075.00

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 Successor Trustee has hereunto set his or her hand and seal this 28 day of NOV, 2011.

Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associated, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposed therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 28 day of Nov., 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 $120,669.81, 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.

Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associated, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposed therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas, this 28 day of Nov., 2011.

Mary Barnes
Notary Public

My Commission Expires: 8/18/2014

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

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

FHA No. 483-4530811-703

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. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated September 20, 2010, recorded September 24, 2010, as Instrument No. 20100924-0076164 in the Register's Office of Davidson County, Tennessee, executed by Gina M. Klassen and Andrew M. Klassen a/k/a Andy Klassen in favor of Fifth Third Mortgage Company to secure the payment of a deed of trust note to Fifth Third Mortgage Company.

2. Fifth Third Mortgage Company 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 28th day of Nov., 2011.

Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associated, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposed therein contained by personally signing the name of the corporation.

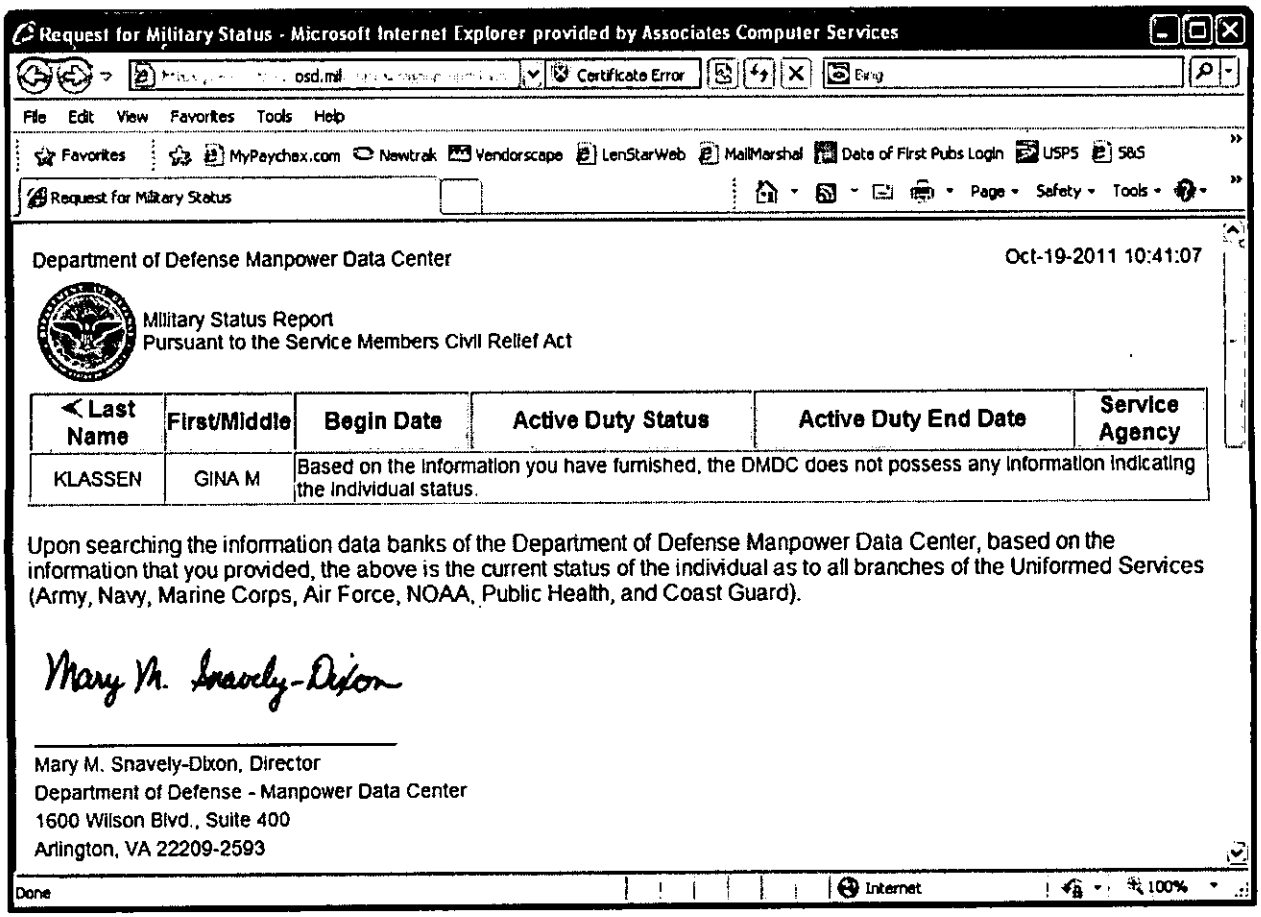
Witness my hand and seal at office in Little Rock, Arkansas this 28th day of Nov, 2011.

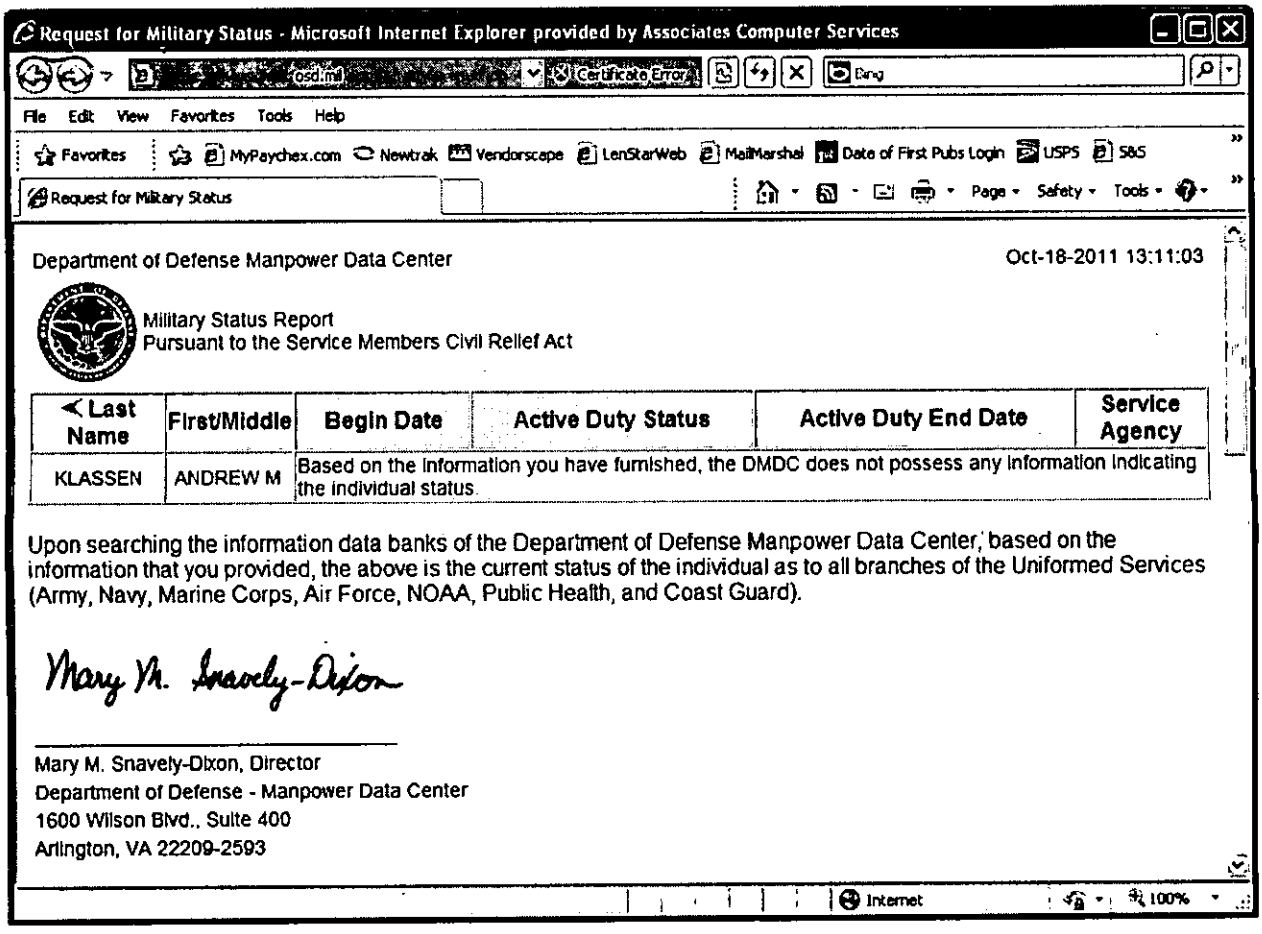
Mary Barnes
Notary Public

My Commission Expires: 8/18/2014

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

FHA No. 483-4530811-703
DServiceMembersAffidavitTN_dcrowe_111123_1535


Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Services
osd.mil
Certificate Error
File Edit View Favorites Tools Help
Favorites
MyPaychex.com
Newtrak
Vendorscape
LenStarWeb
MailMarshal
Date of First Pubs Login
USPS
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Request for Military Status
Page
Safety
Tools
Department of Defense Manpower Data Center
Oct-19-2011 10:41:07
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
KLASSEN
GINA 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
Done
Internet
100%


Request for Military Status - Microsoft Internet Explorer provided by Associates Computer Services
Certificate Error
File Edit View Favorites Tools Help
Favorites MyPaychex.com Newtrak Vendorscape LenStarWeb MailMarshal Date of First Pubs Login USPS S&S
Request for Military Status
Page Safety Tools
Department of Defense Manpower Data Center
Oct-18-2011 13:11:03
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
KLASSEN
ANDREW 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
Internet
100%

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 September 20, 2010, and the Deed of Trust of even date securing the same, recorded September 24, 2010, as Instrument No. 20100924-0076164 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Gina M. Klassen and Andrew M. Klassen a/k/a Andy Klassen, conveying certain property therein described to Frank Alvstad, 401 Church St Ste 2900, Nashville, TN 37219 as Trustee for Fifth Third Mortgage Company; 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 **November 23, 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:

Situated in the County of Davidson and State of Tennessee

Land in Davidson County, Tennessee, being Lot No. 39 on the plan of Fairway View, as of record in Book 2950, Page 44, Register's Office for said County, to which plan reference is hereby made for a more complete and detailed description of said lot.

ALSO KNOWN AS: 162 Pylkum Drive, Old Hickory, Tennessee 37138

The HB 2580 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: Gina M. Klassen; Andrew M. Klassen a/k/a Andy Klassen

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. **W&A No. 949-814683**

DATED October 20, 2011
WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee
By: Shellie Wallace

FOR SALE INFORMATION, VISIT www.rosenmyer.com **and** www.realtytrac.com

Oct. 28, Nov. 4, 11, 2011 Fg13447

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:

October 28, 2011
November 4, 2011
November 11, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 11th day of **November 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