RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Daniel L. King

GRANTEE(s)
M&T Bank

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:T20120003197 DEEDTRS
Recvd: 01/13/12 11:38 6 pgs
Fees:33.00 Taxes:647.68
20120113-0003739

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated August 7, 2006 and recorded August 9, 2006, as Instrument No. 20060809-0097894 in the Register's Office of Davidson County, Tennessee, Daniel L. King conveyed to John T. Cook, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for M&T Mortgage Corporation and M&T Mortgage Corporation's successors and assigns, 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, M&T Bank has appointed **SHELLIE WALLACE** as Successor Trustee and Angela Boyd as Co-Trustee by instrument of record recorded on December 19, 2011 as Instrument No. 20111219-0098416 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 M&T Bank 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 22, 2011 and was advertised a total of three times, prior to actual sale date; announcing the scheduled sale date of August 17, 2011; and on said date the sale was announced to be postponed to September 14, 2011; and on said date the sale was announced to be postponed to October 12, 2011; and on said date the sale was announced to be postponed to November 9, 2011; and on said date the sale was announced to be postponed to December 7, 2011; and on said date the sale was announced to be postponed to January 4, 2012. A Notice of Right to Foreclose was mailed to the borrower(s) on April 12, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on January 4, 2012 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 M&T Bank, at and for the sum of $175,049.75, 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 M&T Bank 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 M&T Bank, 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 No. 11 on the Plan of Devon Glen, Phase II, a Planned Unit Development, of record in Plat Book 7900, page 562, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete legal description thereof.

Being the same property conveyed to Daniel L. King by Warranty Deed recorded August 9, 2006, as Instrument No. 20060809-0097893, Register's Office for Davidson County, Tennessee.

Commonly known as: 101 Glenway Court, Nashville, Tennessee 37221.

Tax Parcel No.: 142 160C 045.00

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 M&T Bank, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 10th day of Jan, 2012.

Angela Boyd
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, Angela Boyd, 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 10th day of Jan., 2012.

Mary Barnes
Notary Public

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

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 $175,049.75, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Angela Boyd
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, Angela Boyd, 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 10th day of Jan., 2012.

Mary Barnes
Notary Public

My Commission Expires: 8/18/2014

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
M&T Bank
One Fountain Plaza, 7th Floor
Buffalo, NY 14203-1495

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

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 August 7, 2006, recorded August 9, 2006, as Instrument No. 20060809-0097894 in the Register's Office of Davidson County, Tennessee, executed by Daniel L. King in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for M&T Mortgage Corporation and M&T Mortgage Corporation's successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for M&T Mortgage Corporation and M&T Mortgage Corporation's successors and assigns.

2. 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.

3. 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 10th day of Jan, 2012.

Angela Boyd
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, Angela Boyd, 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 10th day of Jan., 2012.

Mary Barnes
Notary Public

My Commission Expires: 8/18/2014

DServiceMembersAffidavitTN_jdean_120104_1319

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

Department of Defense Manpower Data Center Jun-16-2011 07:35:20

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
KING	DANIEL L	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.

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 August 7, 2006, and the Deed of Trust of even date securing the same, recorded August 9, 2006, as Instrument No. 20060809-0097894 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Daniel L. King, conveying certain property therein described to John T. Cook as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for M&T Mortgage Corporation and M&T Mortgage Corporation's successors and assigns; 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 17, 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 No. 11 on the Plan of Devon Glen, Phase II, a Planned Unit Development, of record in Plat Book 7900, Page 562, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete legal description thereof. ALSO KNOWN AS: 101 Glenway Court, Nashville, Tennessee 37221

The HB 3558 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: **Daniel King; Daniel L. King; The Bank of Nashville**

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. **WSA No. 840-205069**

DATED July 18, 2011

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

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

July 22, 29, Aug. 5, 2011 Pg112928

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 22, 2011
July 29, 2011
August 5, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **5th** day of **August 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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