BILL GARRETT, Davidson County
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PREPARED BY AND RETURN TO:
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(901)767-5566
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Tennessee FHA

Name: Marcus A. Davis, and Lyn-Niah D. Davis

S&K#: 11-024165

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 19, 2007, recorded in Instrument No. 20071026-0126726 in the Register's Office of Davidson County, Tennessee, Marcus A. Davis and Lyn-Niah D. Davis, joint tenants with rights of survivorship, married conveyed to LandAmerica Lawyers Title, Trustee, 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, Wells Fargo Bank, NA appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20111031-0084465, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and Notice of the Right to Foreclose has been timely given in compliance with Tennessee Code Annotated §35-5-117.

WHEREAS, Wells Fargo Bank, NA requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, pursuant to T.C.A. § 35-5-101 Notice of the Foreclose Sale including the date, time, location, and terms of the sale was timely given by mailing a copy of the Notice of Sale by registered or certified mail, return receipt requested, to all parties entitled to said notice.

WHEREAS in pursuance of said request by said Wells Fargo Bank, NA, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on December 8, 2011, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 10:00AM; and,

WHEREAS, at the time and place mentioned in said advertisement, 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 Wells Fargo Bank, NA, whose address is Wells Fargo Bank, NA, 3476 Stateview Blvd, MAC# X7801-013 (FC), Fort Mill, South Carolina 29715, at and for the sum of $109,235.17, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, NA has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., his successors and assigns; and,

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

NOW, THEREFORE, in consideration of the premises and the payment by Wells Fargo Bank, NA the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Secretary of Housing and Urban Development, Washington, D.C. his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, to wit:

Being Unit Number 18 Hickory Valley Condominiums, Phase 2, a horizontal property regime established by Master Deed of record in Book 4659, Page 32, clarification of Master Deed of record in Book 4937, Page 429, (previously being erroneously referred to Book 4837, Page 429) the Plat of which is of record in Plat Book 4460, Page 133, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20071026-0126726 in the Register's Office of Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument No. 20071026-0126726 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200710260126725, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens and any other matter of record.

This conveyance is subject to the right of the State of Tennessee to redeem the land as provided for in T.C.A. 67-1-1433 (c) (1). Attached hereto is a copy of said notice and letter of compliance.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.
TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Secretary of Housing and Urban Development, Washington, D.C. his successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

Ashley M. Jones, Authorized Agent
D. Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 23 day of December, 2011, before me, a Notary Public, in and for said State and County, personally appeared Ashley Jones, with whom I am personally acquainted, and who, upon oath acknowledged to be Authorized Agent of Shapiro & Kirsch, LLP the within named bargainor, a limited liability partnership, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Partnership.

WITNESS my hand and Notarial Seal at Office the day and year above written.

2/1/2012
My commission expires:

Travis Scaggs
Notary Public

TRAVIS SCAGGS
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY
My Commission Expires 02/01/2012

NO TAX/GOVERNMENTAL AGENCY
TCA CODE 67-4-409

PROPERTY ADDRESS: 5510 Country Drive #18, Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

S & K File #11-024165
Map & Parcel -162 09 0A 018.00

PREPARED BY AND RETURN TO:
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0101491773

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on December 8, 2011 at 10:00 AM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Marcus A. Davis and Lyn-Niah D. Davis, joint tenants with rights of survivorship, married, to LandAmerica Lawyers Title, Trustee, on October 19, 2007 at Instrument No. 20071026-0126726; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: Wells Fargo Bank, NA

The following real estate located in Davidson County, Tennessee, will be sold to the highest call bidder subject to all unpaid taxes, prior liens and encumbrances of record:

Described property located in Davidson County, Tennessee, to wit:

Being Unit Number 18 Hickory Valley Condominiums, Phase 2, a horizontal property regime established by Master Deed of record in Book 4859, Page 32, clarification of Master Deed of record in Book 4937, Page 429, (previously being erroneously referred to Book 4837, Page 429) the Plat of which is of record in Plat Book 4460, Page 133, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Street Address: 5510 Country Drive #18, Nashville, Tennessee 37211

Parcel Number: 162 09 0A 018.00

Current Owner(s) of Property: Marcus A. Davis and Lyn-Niah D. Davis, married couple

The street address of the above described property is believed to be 5510 Country Drive #18, Nashville, Tennessee 37211, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

Notice of this Substitute Trustee's Sale has been timely given to the State of Tennessee as required by T.C.A. § 67-1-1433(b)(1).

Terms of Sale will be public auction, for cash, free and clear of rights of homestead, redemption and dower, and the rights of Marcus A. Davis and Lyn-Niah D. Davis, joint tenants, with rights of survivorship, married, and those claiming through them, and subject to the right of redemption by the DEPARTMENT OF REVENUE, STATE OF TENNESSEE by reason of tax lien of record in instrument Number 20081210118968 at the Register's Office of Davidson County, Tennessee, subject to any accrued taxes and restrictions.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

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.

If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder.

This property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded at any time.

This office may be a debt collector. This may be an attempt to collect a debt and any information obtained may be used for that purpose.

Shapiro & Kirsch, LLP Substitute Trustee
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File No. 11-024165

6