PREPARED BY AND RETURN TO:
Lori Winston
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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BILL GARRETT, Davidson County
Trans:T20120009886 DEEDTRS
Recvd: 02/09/12 09:18 3 pgs
Fees:17.00 Taxes:0.00
20120209-0011571

Name: Javier Herrera, and Evangelina Flores

S&K#: 11-025546

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 17, 2007, recorded in Instrument No. 20070926-0114972 in the Register's Office of Davidson County, Tennessee, Javier Herrera, married, and wife, Evangelina Flores conveyed to PRLAP, Inc., 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, Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP appointed the undersigned as Substitute Trustee by Instrument of record in instrument number 20111202-0094010, 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, Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP 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 Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, 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 January 20, 2012, 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 Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, whose address is Bank of America, N.A., 400 Countrywide Way, Simi Valley, California 93065-6298, at and for the sum of $71,439.18, that being the highest and best bid offered; and,

WHEREAS, the said Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP has assigned its interests in the said property to Federal National Mortgage Association, 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 Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP 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 Federal National Mortgage Association his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to-wit:

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

Lot Number 86 on the Plan of Barclay Square, Section III of record in Plat Book 4675, Page 154, Register's Office for said 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. 20070926-0114972 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. 20070926-0114972 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200709260114971, 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.

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 Federal National Mortgage Association 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

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

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 31st day of January, 2012, before me, a Notary Public, in and for said State and County, personally appeared D Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be Managing Foreclosure Atty 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.

MY COMMISSION EXPIRES
JANUARY 05, 2015

My commission expires:

Notary Public

CASSANDRA JONES
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 4808 Barclay Square Drive, Antioch, Tennessee 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

S & K File #11-025546
Map & Parcel -14909014300

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COST OF PUBLICATION

First Insertion [redacted]
Second Insertion
Third Insertion

Total [redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **January 20, 2012 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 Javier Herfera, married, and wife, Evangelina Flores, to PRLAP, Inc., Trustee, on September 17, 2007 at Instrument No. 20070926-0114972; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Holder: Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP

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

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

Lot Number 86 on the Plan of Barclay Square, Section III of record in Plat Book 4675, Page 154, Register's Office for said County, Tennessee, to which reference is hereby made for a more complete description.

Street Address: 4808 Barclay Square Drive, Antioch, Tennessee 37013

Parcel Number: 14909014300

Current Owner(s) of Property: Javier Herrera, married

The street address of the above described property is believed to be 4808 Barclay Square Drive, Antioch, Tennessee 37013, 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.

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. 11-025546
Dec. 23, 30, 2011 Jan. 6, 2012 Fgl13863

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, Williamson, Cheatham and Dixon County in Tennessee, states that the hereto attached publication appeared in The Westview on the following dates:

December 23, 2011
December 30, 2011
January 6, 2012

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 6th day of **January 2012**, 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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