BILL GARRETT, Davidson County
Trans:T20120011688 DEEDTRS
Recvd: 02/16/12 12:31 3 pgs
Fees:17.00 Taxes:0.00
20120216-0013738

PREPARED BY AND RETURN TO:
Lori Winston
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555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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**Tennessee FHA**

**Name: Dominique Allen, and Christopher Cole**

**S&K#: 11-023651**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 24, 2008, recorded in Instrument No. 20081204-0117692 in the Register's Office of Davidson County, Tennessee, Dominique Allen, a married woman conveyed to Larry N. Westbrook, Esq., 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, PHH Mortgage Corporation appointed the undersigned as Substitute Trustee by Instrument of record in instrument number 20111005-0077272, 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, PHH Mortgage Corporation 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 PHH Mortgage Corporation, 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 November 11, 2011 at 12:00PM at which time it was announced the sale adjournment to be held on January 11, 2012, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 12:00PM; 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 PHH Mortgage Corporation, whose address is PHH Mortgage Corporation, 2001 Bishops Gate Blvd., Attn: Mail Stop SV-01, Mount Laurel, New Jersey 08054, at and for the sum of $89,286.48, that being the highest and best bid offered; and,

WHEREAS, the said PHH Mortgage Corporation 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 PHH Mortgage Corporation 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 Madison, County of Davidson, State of Tennessee, to-wit:

> Land in Davidson County, Tennessee, being part of Lot 14, Block L, on the Plan of Madison Park Subdivision, of record in Book 843, Page 7, and amended in Book 5190, page 94, Register's Office for Davidson County, Tennessee.
>
> Said part of Lot 14 fronts 100 feet on the Southwesterly side of Idlewild Drive (formerly Lanier Avenue) and extends back 200 feet in a dead line and measures 100 feet thereon, being the Northerly 100 feet of 250 feet of Lot No. 14 conveyed to Lula H. Johnson by deed from A.H. Vaughn, et al of record in Book 2107, page 445, Davidson Register's Office.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20081204-0117692 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. 20081204-0117692 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200812040117691, 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 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 31st day of January, 2012, before me, a Notary Public, in and for said State and County, personally appeared Managing Foreclosure Attorney, with whom I am personally acquainted, and who, upon oath acknowledged to be Denise Griffin 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

HILARY MARTIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

**PROPERTY ADDRESS:** 710 Idlewild Drive, Madison, Tennessee 37115

**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 #11-023651**
**Map & Parcel -052 01 0 292.00**

**PREPARED BY AND RETURN TO:**
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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 November 11, 2011 at 12:00 PM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Dominique Allen, a married woman, to Larry N. Westbrook, Esq., Trustee, on November 24, 2008 at Instrument No. 20081204-0117692; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: PHH Mortgage Corporation

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:

Land in Davidson County, Tennessee, being part of Lot 14, Block L, on the Plan of Madison Park Subdivision, of record in Book 843, Page 7, and amended in Book 5190, Page 94, Register's Office for Davidson County, Tennessee.

Said part of Lot 14 fronts 100 feet on the Southwesterly side of Idlewild Drive (formerly Lanier Avenue) and extends back 200 feet in a deed line and measures 100 feet thereon, being the Northerly 100 feet of 250 feet of Lot No. 14 conveyed to Lula H. Johnson by deed from A.N. Vaughn, et al of record in Book 2107, page 445, Davidson Register's Office.

Street Address: 710 Idlewild Drive, Madison, Tennessee 37115

Parcel Number: 052 01 0 292.00

Current Owner(s) of Property: Dominique Allen, married

The street address of the above described property is believed to be 710 Idlewild Drive, Madison, Tennessee 37115, 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
www.kirschattorneys.com
Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690

File No. 11-023651
Oct. 14, 21, 28, 2011 Fg13393

## 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 14, 2011**
**October 21, 2011**
**October 28, 2011**

**THE WESTVIEW NEWSPAPER, LLC**

**By:** _____
**Catron J. Kerr, Administrative Assistant**

**STATE OF TENNESSEE**

On this **28th** day of **October 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**

12