PREPARED BY AND RETURN TO:
Lori Winston
Shapiro & Kirsch, LLP
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Memphis, TN 38117
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BILL GARRETT, Davidson County
Trans:T20120015118 DEEDTRS
Recvd: 03/01/12 11:05 3 pgs
Fees:18.00 Taxes:107.39
20120301-0017999

Name: Ralph D. Stevens, Jack Williams

S&K#: 10-013591

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 31, 2006, recorded in Instrument No. 20060912-0113049 in the Register's Office of Davidson County, Tennessee, Ralph D. Stevens and Jack Williams conveyed to James H. Marshall, 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, U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5 appointed the undersigned as Substitute Trustee by Instrument of record in instrument number 20110808-0060783, 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, U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5 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 U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5, 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 February 10, 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 James Roberts, whose address is 201 Thompson Ln. Suite 200, Nashville, TN 37211, at and for the sum of $29,025.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, James Roberts, 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 James Roberts 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 James Roberts his heir, 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 the Sixth Civil District of Davidson County, Tennessee to wit:
> Lot Number 19 on the Plan of Section Three of Parma Heights Subdivision, a plan of which is of Record in Book 2330, Page 60, in the Register's Office for said County.
> Lot Number 19 is more particularly described as follows: Commencing at a point where the northerly boundary of Lot 20 intersects the easterly margin of Hewlett Court; thence with the easterly margin of Hewlett Court northerly 60 feet; thence with the southerly boundary of Lot 18, easterly 179.30 feet to a deadline; thence South 2 degrees 33 minutes 20 seconds West 54 feet to a point: thence with the northerly boundary of Lot 21, southwesterly 62.39 feet to a monument; thence westwardly and with the northerly margin of Lot 20, 127.25 feet 10 the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20060912-0113049 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. 20060912-0113049 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20060912-0113048, 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 James Roberts his heir, 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 2nd day of February, 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 Attorney 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.

CLAIRE H. JULIAN STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF SHELBY MY COMM. EXP. JUNE 01, 2014

06/01/14
My commission expires:

Claire H. Julian
Notary Public

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $29,025.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me on the date written above.

My commission expires:

Notary Public

PROPERTY ADDRESS: 3610 Hewlett Court, Nashville, Tennessee 37212

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
James Roberts
201 Thompson LN. Suite 200, Nashville, TN 37211

S & K File #10-013591
Map & Parcel -133-07-0-025.00

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 29,025.00

AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 1 DAY OF March 20 12

Deputy Register 3/1/12

COST OF PUBLICATION

First Insertion [redacted]
Second Insertion
Third Insertion

Total [redacted]

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:

January 13, 2012
January 20, 2012
January 27, 2012

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **27th** 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

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **February 16, 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 Ralph D. Stevens and Jack Williams, to James H. Marshall, Trustee, on August 31, 2006 at Instrument No. 20060912-0113049; conducted by Shapiro & Kirsch, LLP Substitute Trustee; of record in the Davidson County Register's Office.

Owner of Debt: U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5

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 the Sixth Civil District of Davidson County, Tennessee to wit:

Lot Number 19 on the Plan of Section Three of Parma Heights Subdivision, a plan of which is of Record in Book 2330, Page 60, in the Register's Office for said County. Lot Number 19 is more particularly described as follows: Commencing at a point where the northerly boundary of Lot 20 intersects the easterly margin of Hewlett Court; thence with the easterly margin of Hewlett Court northerly 60 feet; thence with the southerly boundary of Lot 18, easterly 179.30 feet to a deadline; thence South 2 degrees 33 minutes 20 seconds West 54 feet to a point; thence with the northerly boundary of Lot 21, southwesterly 82.39 feet to a monument; thence westwardly and with the northerly margin of Lot 20, 127.25 feet to the point of beginning.

Street Address: 3610 Hewlett Court, Nashville, Tennessee 37212

Parcel Number: 133-07-0-025.00

Current Owner(s) of Property: Ralph D. Stevens and Jack Williams, as joint tenants with right of survivorship

Other Interested parties: Metropolitan Government, Traffic Violation Bureau, First Tennessee Bank, National Association, c/o John H. Rowland, Courtney H. Gilmer, Attorneys, Baker, Donelson, Bearman Caldwell & Berkowitz, P.C., Greenbank, c/o David M. Anthony, Johnny C. Garrett, IV, Attorneys, Thomas V. White, Attorney, Tune, Entrekin & White, P.C., Midsouth Bank, c/o Rodney M. Scott, Attorney, Stephen A. Lund, Esq., Attorney, Linda Hirl, c/o Nicholas W. Utter, Attorney, Developers Surety and Indemnity Company c/o MANIER & HEROD, attorneys and Fifth Third Bank c/o Attorney Allison A. Werner

The street address of the above described property is believed to be 3610 Hewlett Court, Nashville, Tennessee 37212, 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. 10-013591
Jan. 13, 20, 27, 2012 fh13989

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