RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Francisco A. Cruz Corina Zavala

GRANTEE(s)
The Secretary of Housing and Urban Development, his/her successors and/or assigns

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:T20120016134 DEEDTRS
Recvd: 03/05/12 14:28 11 pgs
Fees:57.00 Taxes:0.00
20120305-0019214

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated March 21, 2006 and recorded May 16, 2006, as Instrument No. 20060516-0057203 in the Register's Office of Davidson County, Tennessee, Francisco A. Cruz and Corina Zavala conveyed to First National Financial Title Services, as Trustee for Mortgage Electronic Registration Systems, Inc. as Nominee for Market Street Mortgage Corporation and Market Street 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, JPMorgan Chase Bank, National Association has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on January 23, 2012 as Instrument No. 20120123-0006018 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 JPMorgan Chase Bank, National Association 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; announcing the scheduled sale date of January 4, 2012; and on said date the sale was announced to be postponed to February 1, 2012; said advertisement began on November 25, 2011 and was advertised a total of three times, prior to actual sale date. A Notice of Right to Foreclose was mailed to the borrower(s) on June 8, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on February 1, 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 JPMorgan Chase Bank, National Association, at and for the sum of $88,717.68, that being the highest and best bid offered; and

WHEREAS, the said JPMorgan Chase Bank, National Association has assigned its interest in said property to The Secretary of Housing and Urban Development, his/her successors and/or assigns; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor 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 JPMorgan Chase Bank, National Association of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to The Secretary of Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

Being Lot number 17 of Block (A) of Crittenden Estates Subdivision, as shown by plat of record in plat Book 974, Page 69, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Being the same property conveyed to Francisco A. Cruz Corina Zavala by Warranty Deed recorded May 16, 2006, as Instrument No. 20060516-0057202, Register's Office for Davidson County, Tennessee.

Commonly known as: 327 Neelys Bend Road, Madison, Tennessee 37115.

Tax Parcel No.: 052 01 0 103.00

The above-described property is conveyed subject to the rights of the State of Tennessee to redeem the property as provided for in §67-1-1433(c)(1).

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 The Secretary of Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 7 day of February, 2012

Wilson & Associates, PLLC

By: _____
Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 7 day of Feb, 2012.

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

_____
Notary Public

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 $88,717.68, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes pursuant to TCA. § 13-23-127.

Wilson & Associates, PLLC

By: _____
Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas, this 7 day of Feb, 2012.

_____
Notary Public

My Commission Expires: 8/18/2014

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Michaelson, Connor & Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

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. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated March 21, 2006, recorded May 16, 2006, as Instrument No. 20060516-0057203 in the Register's Office of Davidson County, Tennessee, executed by Francisco A. Cruz and Corina Zavala in favor of Mortgage Electronic Registration Systems, Inc. as Nominee for Market Street Mortgage Corporation and Market Street Mortgage Corporation Successors and Assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc. as Nominee for Market Street Mortgage Corporation and Market Street Mortgage Corporation 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 1 day of February, 2012.

Wilson & Associates, PLLC

By: _____
Shellie Wallace, Partner
Wilson & Associates, PLLC
TN Bar #026039

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Shellie Wallace, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 7 day of Feb, 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

FHA No. 483-3633887-703
DServiceMembersAffidavitTN_bboone_120201_1557

Department of Defense Manpower Data Center

Jan-26-2012 22:40:42

Web page snapshots at 1/27/2012 1:40:14 AM

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
ZAVALA	CORINA	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.

More Information on "Active Duty Status"
Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA Is Broader In Some Cases
Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:DG4DED18D8

Department of Defense Manpower Data Center

Jan-26-2012 22:35:43

Web page snapshots at 1/27/2012 1:35:12 AM

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
CRUZ	FRANCISCO A	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

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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.

More Information on "Active Duty Status"
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Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:1OK2D6QCF1

Nashville Scene

Affidavit of Publication

State of Tennessee

County of Davidson

I, Dorothy Cheeney for The Nashville Scene, a weekly newspaper published and distributed in the aforementioned county and state, hereby certify that the attached advertisement appeared in The Nashville Scene.

Nov 24, Dec 1, 8, 2011
Date of publication

Subscribed and sworn to before me,

This 8 day of December, 2011.

Notary Public

My Commission Expires _____

Docket No: 700-116496 Cost $690.00

Classes

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Delivery positions available

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Babysitter needed for Brentwood mother of two. Must be reliable, responsible and love to play! Occasional evenings and weekends. Please call Brandi at 615-414-4800

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2BR Duplex $625/mo. High Point Dr. Call Omni 615-834-4455 or www.AmyrisRealty.com

Legal

To place a Legal notice in the Nashville Scene, call Dorothy at 615-844-6848 or email: dadowney@nashvillescene.com

Legals

Pursuant to the Chancery Warrant, Mark Thomas Hodges and Mary Margaret Hodges Trustees of the Hodges Family Trust dated March 21, 2005, by a Deed of Trust, dated January 14, 2007, of record at Instrument No. 20070124-0004900, Register's Office for Davidson County, Tennessee ("Deed of Trust"), conveyed to Mark Dodd, Trustee, the hereinafter described real property to secure the payment of certain indebtedness, etc., ("Indebtedness") as described in said Deed of Trust; and, WHEREAS, Tony L. Wall, Trustee of Wall Family Trust, Tony Stephen and Gregory G. Wall have been appointed Substitute Trustees by Community First Bank & Trust, the owner and holder of said Indebtedness; the entire unpaid principal of said Indebtedness, No. 20070131-0096425, Register's Office for Davidson County, Tennessee, with no priority for any one of such Substitute Trustees to act alone or by a designated agent with the power given the Trustee in the Deed of Trust and by applicable law; and WHEREAS, default in indebtedness secured by said Deed of Trust has been made; and WHEREAS, Community First Bank & Trust, the owner and holder of said Indebtedness, has demanded that the real property be advertised and sold in satisfaction of said Indebtedness and the cost of the foreclosure, in accordance with the terms and provisions of the loan documents and Deed of Trust; NOW, THEREFORE, notice is hereby given that one of the Substitute Trustees or a designated agent for any one of the Substitute Trustees, pursuant to the power, duty and authority vested in and imposed upon the Trustee in said Deed of Trust and upon the sale will on Friday, December 16, 2011 at 10:00 o'clock a.m., prevailing time, at the steps of the Davidson County Courthouse, Public Square, Nashville, Davidson County, Tennessee offer for sale to the highest and best bidder for cash or check from all rights and equity of redemption, statutory right of redemption or otherwise, homestead, dower, election, claim or spouse and all exemption rights and exemptions of every kind as waived in said Deed of Trust, certain real property situated in Davidson County, Tennessee, described as follows:

Legal Description: The real property is described Book Number, Deed of Trust of record as Instrument No. 20070124-0004900, Register's Office for Davidson County, Tennessee, including the same real property conveyed to Mark Thomas Hodges and Mary Margaret Hodges Trustees of the Hodges Family Trust by deed from Maureen C. Allen, a married person, of record in Book 11701, page 3, Register's Office for Davidson County, Tennessee, being Lot No. 95 of the Plan of Woodmont Boulevard-Section 4A-Hermitage Farm, of record in Book 7101, page 3, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description, being the same property conveyed to Mark Thomas Hodges and Mary Margaret Hodges Trustees of the Hodges Family Trust by deed from Maureen C. Allen, a married person, of record in Instrument No. 20070124-0004900, Register's Office for Davidson County, Tennessee.

THE PROPERTY IS SOLD ALL-IS, WHERE IS AND WITH ALL FAULTS, AND WITHOUT any representation of warranties of any kind whatsoever, whether expressed or implied, with only limited warranty of title as to the acts of the undersigned, and possession of the property will be delivered to the purchaser at the time of sale.

The right is reserved to postpone the sale to another time certain or to withdraw the property from the sale without further publication, upon announcement of said dates, consequence or adjournment on the day and time and place of said sale set forth above or any subsequent date, continued or adjourned day and time and place of sale; (2) Last to the time fixed by the Clerk of the date and time of the said sale; (3) sell in such lots, parcels, segments or separate tracts as Substitute Trustee may choose; (4) sell any part and declare certain bidders, agents or representatives of sale of any part of the property of said sale and declare the highest bidder in the event of a tie bid should any conflict with the terms of the sale. Substitute Trustee will make necessary adjustments, matters relating to title or survey of the plat of title, express or implied, and will sell and convey the subject real property by quitclaim Deed as Substitute Trustee only, but the sale is subject to all matters shown on any plat or survey of record, and assessments, back taxes, and easements, interest, and liens which exist as a lien against said property, any restrictive covenants, easements or setback lines that may be of record, all rights of redemption, equity, statutory or otherwise, and otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, and any and all rights of any kind of homestead, dower, curtesy, distributive share, election, claim or spouse and all exemption rights and exemptions of every kind as waived in said Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows: Being lot number 61 of Block 8 of Crieve Hall Subdivision, Section 4, as shown by plat of record in plat book 6BA, page 68, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Legals

20100722000360210, Davidson's 64-acre lot Operation County, Tennessee.

Street Address: The street address of the property is believed to be 3300 Battle Road, Nashville, Davidson County, Tennessee, but said address is not part of the legal description of the property. In the event of any discrepancy, the legal description on the recorded contract, Map/Parcel Number: 034-14-0-040.00 Land in Davidson County, Tennessee, being Lot No. 95 of the Plan of Woodmont Boulevard-Section 4A-Hermitage Farm, of record in Book 7101, page 3, Register's Office for Davidson County, to which plan reference is hereby made for a more complete description, being the same property conveyed to Mark Thomas Hodges and Mary Margaret Hodges Trustees of the Hodges Family Trust by deed from Maureen C. Allen, a married person, of record in Instrument No. 20070124-0004900, Register's Office for Davidson County, Tennessee. THE PROPERTY IS SOLD ALL-IS, WHERE IS AND WITH ALL FAULTS, AND WITHOUT any representation of warranties of any kind whatsoever, whether expressed or implied, with only limited warranty of title as to the acts of the undersigned, and possession of the property will be delivered to the purchaser at the time of sale. The right is reserved to postpone the sale to another time certain or to withdraw the property from the sale without further publication, upon announcement of said dates, consequence or adjournment on the day and time and place of said sale set forth above or any subsequent date, continued or adjourned day and time and place of sale; (2) Last to the time fixed by the Clerk of the date and time of the said sale; (3) sell in such lots, parcels, segments or separate tracts as Substitute Trustee may choose; (4) sell any part and declare certain bidders, agents or representatives of sale of any part of the property of said sale and declare the highest bidder in the event of a tie bid should any conflict with the terms of the sale. Substitute Trustee will make necessary adjustments, matters relating to title or survey of the plat of title, express or implied, and will sell and convey the subject real property by quitclaim Deed as Substitute Trustee only, but the sale is subject to all matters shown on any plat or survey of record, and assessments, back taxes, and easements, interest, and liens which exist as a lien against said property, any restrictive covenants, easements or setback lines that may be of record, all rights of redemption, equity, statutory or otherwise, and otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, and any and all rights of any kind of homestead, dower, curtesy, distributive share, election, claim or spouse and all exemption rights and exemptions of every kind as waived in said Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows: Being lot number 61 of Block 8 of Crieve Hall Subdivision, Section 4, as shown by plat of record in plat book 6BA, page 68, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Legals

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 March 21, 2006, and the same in full or part date securing the same, recorded May 18, 2006, as Instrument No. 20060518-0057353 in the Office of the Register of Deeds for Davidson County, Tennessee, executed by Francisco A. Cruz and Carina Davila, conveying on title property thereto described to First National Financial Title Services as Trustee for Mortgage Electronic Registration Systems, Inc. as Nominee for Harbor Street of Raleigh Corporation and Harbor Street Mortgage Corporation as Successors and Assigns; and the undersigned, Shelly Wallace of Wilson & Associates, P.L.L.C., having been appointed Substitute Trustee, NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that on agent of Shelly Wallace of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the notes, duly and authority vested in and imposed upon said Successor Trustee will, on January 4, 2012 on or about 10:00 A.M., at the Courthouse Area, Nashville, Tennessee, offer for sale certain property hereinafter described in 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:

Being Lot Number 61 of Block 8 of Crieve Hall Subdivision, Section 4, as shown by plat of record in Plat Book 6BA, page 68, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Property Address: 3300 Battle Road, Nashville, TN 37204

Tax Map, Parcel No.: 034-14-0-040.00

Current Owner of Record: Francisco A. Cruz and Carina Davila

Terms of Sale: Cash or certified funds. The property will be sold subject to any matters that an accurate survey of the property might disclose.

This is an ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

3401 West End Avenue, Suite 260
P. O. Box 198725
Nashville, TN 37219-8725
Shelly Wallace
Substitute Trustee
Wilson & Associates, P.L.L.C.
615-256-8787
Fax: 615-256-8985
Our File No. 11-08-0436
Date of First Publication: December 8, 2011
WILSON & ASSOCIATES, P.L.L.C.
Successor Trustee
By: Shelly Wallace
TBPR No. 023178
Shelly@attorneyfirm.com
FOR SALE INFORMATION, VISIT
www.auction.com
and
www.foreclosurelink.com
File No. 11-08-0436
December 8, 15, 2011

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 March 21, 2006, and the Deed of Trust of even date securing the same, recorded May 18, 2006, as Instrument No. 20060518-0057353 in the Office of the Register of Deeds for Davidson County, Tennessee, executed by Francisco A. Cruz and Carina Davila, conveying on title property thereto described to First National Financial Title Services as Trustee for Mortgage Electronic Registration Systems, Inc. as Nominee for Harbor Street of Raleigh Corporation and Harbor Street Mortgage Corporation as Successors and Assigns; and the undersigned, Shelly Wallace of Wilson & Associates, P.L.L.C., having been appointed Substitute Trustee, NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Shelly Wallace of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the notes, duly and authority vested in and imposed upon said Successor Trustee will, on January 4, 2012 on or about 10:00 A.M., at the Courthouse Area, Nashville, Tennessee, offer for sale certain property hereinafter described in 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:

Being Lot Number 61 of Block 8 of Crieve Hall Subdivision, Section 4, as shown by plat of record in Plat Book 6BA, page 68, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Property Address: 3300 Battle Road, Nashville, TN 37204

Tax Map, Parcel No.: 034-14-0-040.00

Current Owner of Record: Francisco A. Cruz and Carina Davila

Terms of Sale: Cash or certified funds. The property will be sold subject to any matters that an accurate survey of the property might disclose. In addition, the following parties may claim an interest in the above-referenced property: Francisco A. Cruz; Carina Davila; CitiMortgage, Inc.; Resurgent Capital Services, L.P.; Tennessee Department of Revenue; Unknown Spouse of Francisco A. Cruz; Unknown Spouse of Carina Davila; Unknown Tenant(s); Occupant(s); and Any Unknown Persons in Possession.

On or about November 4, 2004, this Note of Tennessee, filed a tax lien against the Defendant, Francisco A. Cruz, encumbering the Property and recorded in the Register's Office of Davidson County, Tennessee, as Instrument No. 20041109-0102035. Any interest in the property held by the State of Tennessee, by virtue of the aforesaid tax lien or any interest inferred to the Internal Revenue Service, Financial Institution Data Bank, National Association, Provident, however, that the State of Tennessee, pursuant to Tennessee Code Annotated § 67-1-433, shall have one hundred and seventy (170) days from the date of the sale within which to redeem the property by paying all the said Sheriff's bonds by payment of the actual amount paid by the purchaser at the Foreclosure sale, plus any amount in excess of the expenses necessarily incurred in connection with such property, plus a reasonable restoration of such property. As required by law, the State of Tennessee has been given thirty notice of this action. The interest pursuant to this lien may be redeemed at the Successor Trustee's option at any time. The right is reserved to postpone 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 as set forth above.

WITNESS my hand on this 6th day of December, 2011.

WILSON & ASSOCIATES, P.L.L.C.
Successor Trustee
By: Shelly Wallace
TBPR No. 023178
Shelly@attorneyfirm.com
FOR SALE INFORMATION, VISIT
www.auction.com
and
www.foreclosurelink.com
File No. 11-08-0436
December 8, 15, 2011



WILSON & ASSOCIATES, P.L.L.C.
Attorneys at Law – Arkansas and Tennessee
1521 Merrill Drive, Suite D-220
Little Rock AR 72211
501-219-9388; Fax: 501-219-9458
Internet: www.wilson-assoc.com

November 18, 2011

9171 7108 2133 3939 2257 7457

Ms. Becky Tellas
Tennessee Department of Revenue
P.O. Box 190665
Nashville, Tennessee 37219-0665

RE: Francisco A. Cruz and Corina Zavala
327 Neelys Bend Road
Madison, Tennessee 37115
W&A No. 700-116496
FHA No. 483-3633887-703

Dear Ms. Tellas:

Pursuant to the above-referenced nonjudicial foreclosure proceeding, enclosed are copies of the following documents:

1. Notice of Trustee's Sale;
2. Tennessee State Tax Lien; and
3. First and last pages from the Deed of Trust pertinent to the subject property.

By virtue of this letter, I am giving notice as required of a possible state tax lien filed against the Defendant, Francisco A. Cruz, said lien being more particularly described in the enclosed Notice of Trustee's Sale.

Thank you for your consideration and attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,

WILSON & ASSOCIATES, P.L.L.C.

Shellie Wallace

N0007501

407541406110 6

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:	ENTITY ID:
FRANCISCO CRUZ	002 [redacted]-8700
D/B/A: FRANCISCO CRUZ 404 HICKORY CHASE DR MADISON TN 37115-3641	002[redacted]-8700 COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on November 7, 2006.

COMMISSIONER OF REVENUE

By: William E Hanks
Delegate of Commissioner

FOR REGISTER USE ONLY ... PRINT OR STAMP

BOOK NO	PAGE NO.	DATE	TIME
REGISTER	Davidson County LIENSTL Recvd: 11/08/06 08:28 1 pgs Fees:12.00 Taxes:0.00 20061108-0138833	BY:	

RV-N0007501

2/1

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

January 23, 2012

Bettye Boone, Magazine Team
Wilson & Associates, P.L.L.C.
1521 Merrill Dr., Suite D-220
Little Rock, AR 72211

Re: Foreclosure Sale of Property Owned by: **Francisco Cruz**
Entity Number: **002 XXXXX8700/000 and 005 0538874/000**
W&A Number: 700-116496/ 327 Neelys Bend Road

This is in reference to your letter dated January 23, 2012 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **February 1, 2012** is **$1,111.23**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Rosemary Maltese, Accounting Technician 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*