RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Clifford W. Mann

GRANTEE(s)
Les Lazarus

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:T20120016828 DEEDTRS
Recvd: 03/07/12 11:13 6 pgs
Fees:33.00 Taxes:333.00
20120307-0020007

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated January 25, 2008 and recorded February 4, 2008, as Instrument No. 20080204-0011336 in the Register's Office of Davidson County, Tennessee, Clifford W. Mann conveyed to Smith.Sholar.Associates.PLLC., as Trustee for Fifth Third Mortgage Company, 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, Fifth Third Mortgage Company ha s appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on February 13, 2012 as Instrument No. 20120213-0012259 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 Fifth Third Mortgage Company 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; said advertisement began on January 27, 2012 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 November 22, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on February 22, 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 Les Lazarus, at and for the sum of $66,200.00, that being the highest and best bid offered; 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 Les Lazarus 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 said Les Lazarus, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot Number 158 on the plan of Quail Ridge, section Two, as shown by plat of record in Plat Book 6200, Page 467, in the Registers Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description
>
> Being the same property conveyed to Clifford W. Mann by Quitclaim deed recorded December 8, 1998 , at Book 11260, Page 207, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 4856 Indian Summer Drive, Nashville, Tennessee 37207.
>
> Tax Parcel No.: 032 09 069.00

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 Les Lazarus, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 27 day of Feb, 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 27 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

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 $66,200.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Les Lazarus

ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, _____, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in _____ this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Les Lazarus
268 Lewisburg Pk
Franklin, TN

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 90,000
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 7th DAY OF March 2012
S. Chandler
Deputy Register

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 January 25, 2008, recorded February 4, 2008, as Instrument No. 20080204-0011336 in the Register's Office of Davidson County, Tennessee, executed by Clifford W. Mann in favor of Fifth Third Mortgage Company to secure the payment of a deed of trust note to Fifth Third Mortgage Company.

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 27 day of Feb., 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.

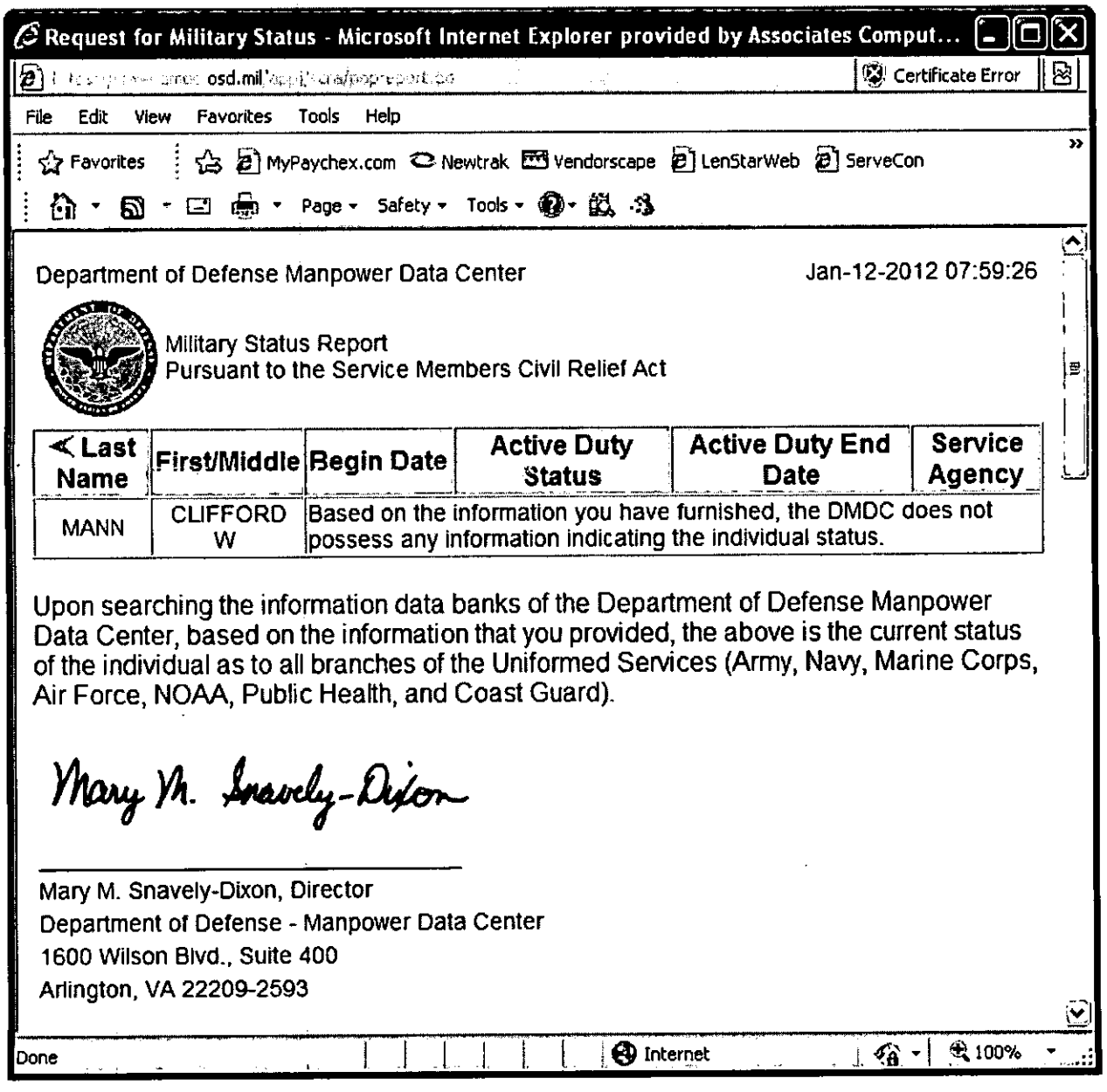
Witness my hand and seal at office in Little Rock, Arkansas this 27 day of Feb, 2012.

Mary Barnes
Notary Public

My Commission Expires: 8/18/2014

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

DServiceMembersAffidavitTN_jdean_120222_1144


Request for Military Status - Microsoft Internet Explorer provided by Associates Comput...
osd.mil
Certificate Error
File Edit View Favorites Tools Help
Favorites MyPaychex.com Newtrak Vendorscape LenStarWeb ServeCon
Page Safety Tools
Department of Defense Manpower Data Center
Jan-12-2012 07:59:26
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
MANN
CLIFFORD W
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
Done
Internet
100%

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion ____

Total

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 January 25, 2008, and the Deed of Trust of: even date securing the same, recorded February 4, 2008, as Instrument No. 20080204-0011336 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Clifford W. Mann, conveying certain property therein described to Smith Shollar Associates, PLLC, as Trustee for Fifth Third Mortgage Company; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **February 22, 2012** on or about 10:00 A.M., at the Bridgestone Arena, Nashville, Tennessee, offer for sale certain property hereinafter described to 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:

Located in Davidson County, Tennessee, being Lot Number 169 on the plan of Quail Ridge, Section Two, as shown by plat of record in Plat Book 6300, Page 487, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description

ALSO KNOWN AS: 4856 Indian Summer Drive, Nashville, Tennessee 37207

The HB 3558 letter was mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-5-117. This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: Clifford W. Mann

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. **WBA No. 049-118121**

DATED January 16, 2012

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

FOR SALE INFORMATION, VISIT WWW.MYFTB.COM and WWW.REALTYTRAC.COM

Jan. 27, Feb. 3, 10, 2012 FN114055

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:

January 27, 2012
February 3, 2012
February 10, 2012

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 10th day of **February 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