RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Tom C. Borrelli

GRANTEE(s)
Federal National Mortgage Association

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:T20120025069 DEEDTRS
Recvd: 04/05/12 14:13 9 pgs
Fees:47.00 Taxes:0.00
20120405-0029314

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated October 14, 2004 and recorded October 20, 2004, as Instrument No. 20041020-0126363 in the Register's Office of Davidson County, Tennessee, Tom C. Borrelli and Tania Borrelli conveyed to Arnold M Weiss, Attorney, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc.'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, BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on March 12, 2012 as Instrument No. 20120312-0021378 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 BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP 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 March 2, 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 August 26, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on March 28, 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 BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, at and for the sum of $168,998.35, 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 FKA COUNTRYWIDE HOME LOANS SERVICING LP has assigned its interest in said property to the Federal National Mortgage Association, its successors and 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 BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP 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 Federal National Mortgage Association, 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 67 on the Plan of Bellevue Manor, as of record in Plat Book 3600, pages 32 and 33, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Tom C. Borrelli by Warranty Deed recorded October 20, 2004 , as Instrument No. 20041020-0126362, Register's Office for Davidson County, Tennessee.

Commonly known as: 2417 Bellevue Manor Drive, Nashville, Tennessee 37221.

Tax Parcel No.: 127 16 011.00

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 the Federal National Mortgage Association, its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 3 day of April, 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 3 day of April,

KAMI GARRETT
Notary Public-Arkansas
Saline County
My Commission Expires 04-19-2021
Commission # 12381845

Notary Public

My Commission Expires: 4-19-2021

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 $168,998.35, 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 3 day of April,

KAMI GARRETT
Notary Public-Arkansas
Saline County
My Commission Expires 04-19-2021
Commission # 12381845

Notary Public

My Commission Expires: 4-19-2021

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Fannie Mae
P.O. Box 650043
Dallas, TX 75265-0043

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 states as follows:

1. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated October 14, 2004, recorded October 20, 2004, as Instrument No. 20041020-0126363 in the Register's Office of Davidson County, Tennessee, executed by Tom C. Borrelli and Tania Borrelli in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc.'s successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc.'s 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 3 day of April, 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 3 day of April, 2017

Notary Public

KAMI GARRETT
Notary Public-Arkansas
Saline County
My Commission Expires 04-19-2021
Commission # 12381845

My Commission Expires: 4-19-2021

DServiceMembersAffidavitTN_slee_120328_1439

Department of Defense Manpower Data Center

Mar-26-2012 22:27:47

Web page snapshots at 3/27/2012 1:26:00 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
BORRELLI	TOM C	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:59GNSPCH93

Department of Defense Manpower Data Center

Mar-26-2012 22:28:03

Web page snapshots at 3/27/2012 1:26:15 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
BORRELLI	TANIA	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.

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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:ONFHJ23Q25

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.

March 1, 8, 15, 2012
Date of publication

Dorothy Cheeney

Subscribed and sworn to before me,

This __16___ day of _March, _____ 2012.

_____
Notary Public

My Commission Expires _____

Docket No. 726-195063 Cost $690.00

210 12th Avenue South, Suite 100• Nashville, TN 37203 • 615-244-7989

20040625-0175161 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Tom C. Boaz II and Santa Boaz(?), conveying certain property therein described to Arnold M. Weiss, Attorney as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for Countrywide Home Loans, Inc. and Countrywide Home Loans, Inc.'s successors and assigns; 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 March 28, 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: Land in Davidson County, Tennessee, being Lot Number 69 on the Plan of Bellevue Manor, as of record in Plat Book 3402(?), pages 32 and 33, Register's Office for said County, to which plan reference is made for a more complete description.

ALSO KNOWN AS: 7472(?) Bellevue Manor Drive, Nashville, Tennessee 37221

The HUD 1580 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: Tom C. Boaz II; Santa Boaz(?); Harpeth Valley Utilities District; Countrywide Bank; Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Bank; Bank of America, N.A.

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.

W&A No. 726-19565(?)
DATED February 24, 2012
WILSON & ASSOCIATES, P.L.L.C.
Successor Trustee
ItSaleROTC_14-Shelle_boaz_120224_1150(?)
FOR SALE INFORMATION, VISIT WWW.MYFIR.COM and WWW.REALTYTRAC.COM
NS March 1, 8, 15, 2012

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 August 31, 2004, and the Deed of Trust of even date securing the same, recorded September 13, 2004, as Instrument No. 20040913-0109151 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Rosstonb(?) W. Thomas and Suzanne C. Thomas, conveying certain property therein described to Robert M. Wilson as Trustee for Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Home Loans, Inc.; 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 March 28, 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: Being Unit Number 37 and 37A on the plan of Regency Park, as of record in Plat Book 3360, page 68, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

ALSO KNOWN AS: 672 Regency Lane(?), Nashville, Tennessee 37215(?)

The HUD 1580 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: Rosstonb(?) W. Thomas; Suzanne C. Thomas; Countrywide Home Loans Inc; The Association of Owners of Regency Park Condominiums; Equable Ascent Financial LLC f/k/a Hilco Receivables LLC, assignee of WAMU Chase; Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Home Loans, Inc.; State Farm Bank FSB

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.

W&A No. 726-20409(?)
DATED February 22, 2012
WILSON & ASSOCIATES, P.L.L.C.
Successor Trustee
ItSaleROTC_Shelle_boaz_120222_1157(?)
FOR SALE INFORMATION, VISIT WWW.MYFIR.COM and WWW.REALTYTRAC.COM
NS March 1, 8, 15, 2012

NOTICE OF FORECLOSURE

WHEREAS, default having been made in the payment of the debt and obligations, and in the terms and conditions provided for in that certain Construction Deed of Trust (the "Original Deed of Trust"), dated December 6, 2006, to Brooks R. Smith, Trustee, executed by GALLARDIA(?) PROPERTIES, LLC, a Tennessee limited liability company (the "Debtor"), as same appears of record as Instrument No. 20061208-015[illegible], Register's Office for Davidson County, Tennessee; and WHEREAS, the Original Deed of Trust was amended by Amended and Restated Construction Deed of Trust, of record as Instrument No. 20080910-0093277(?), said Register's Office, as further amended by Amendment to Amended and Restated Construction Deed of Trust, of record as Instrument No. 20090320-0026468(?), said Register's Office, as modified by Loan and Note Modification and Extension Agreement, of record as Instrument No. [illegible], said Register's Office, as corrected by Scrivener's Affidavit, of record as Instrument No. [illegible], said Register's Office, as assigned by Assignment of Amended and Restated Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further assigned by Assignment of Amended and Restated Construction Deed of Trust, of record as Instrument No. 20100929-0077566, said Register's Office, and as further assigned by Assignment of Amended and Restated Construction Deed of Trust, of record as Instrument No. 20100930-[illegible], said Register's Office (the "Amendments to Deed of Trust"; the Original Deed of Trust, as amended by the Amendments to Deed of Trust, being hereinafter collectively referred to as the "Deed of Trust"); and WHEREAS, UPP MORTGAGE LTD, a Texas limited partnership, is the beneficiary under the Deed of Trust; and WHEREAS, the entire indebtedness secured by the above referenced Deed of Trust has been accelerated and is past due and unpaid; and, WHEREAS, by instrument dated February 8, 2012, and of record as Instrument No. 20120222-[illegible], Register's Office for Davidson County, Tennessee, the owner and holder of the debt secured by said Deed of Trust (hereinafter sometimes referred to as "Secured Party") appointed Charles W. Cook as Successor Trustee, in accordance with the provisions contained in said Deed of Trust; and, WHEREAS, as of February 28, 2012 at 8:00 a.m., there were no state or federal tax liens of record against the Debtor in the Register's Office for Davidson County, Tennessee. NOW, THEREFORE, I, Charles W. Cook, as Successor Trustee, acting upon the request of the owner and holder of the debt secured by said Deed of Trust, and by virtue of the power and authority vested in me as Successor Trustee, give notice that I will on

WEDNESDAY, APRIL 4, 2012

commencing at 2:00 o'clock p.m., at the front door of the Davidson County Courthouse, 1 Public Square, Nashville, Davidson County, Tennessee, proceed to sell at public auction to the highest bidder for cash, and free from all equities of redemption, the statutory right of redemption, homestead, dower, and all other rights or exemptions of every kind, all of which are expressly waived in said Deed of Trust, the following described real and personal property in Davidson County, Tennessee (the "Mortgaged Property"), which Mortgaged Property may be sold in whole or in part, to wit: Land in Davidson County, Tennessee, being Lot(s) 132-138 and 186, as shown on the map entitled the Plan of Hill Park Townhomes, Phase V, a Residential Property Regime as set in Exhibit B of the Declaration of Covenants, Conditions and Restrictions, of record as Instrument No. 20050701-[illegible], Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description. Being part of the same property conveyed to Gallardia(?) Properties, LLC, a Tennessee limited liability company, by deed from Westland Development, Inc., a Tennessee corporation, of record as Instrument No. 20061208-0150254 and corrected by Scrivener's Affidavit of record as Instrument No. 20070314-0031334, dated December 6, 2006, said Register's Office. TOGETHER WITH: Together with all buildings and improvements now or hereafter erected upon the above-described property and any all of the following items, whether heretofore or hereafter placed on or upon said property: gas and electric fixtures, radiators, heaters, furnaces, heating equipment, steam and hot water boilers, hot water heaters, and all heating, air-conditioning, freezing, lighting, laundry, incinerating and power equipment, stoves, ranges and ovens, refrigerators, refrigerating plants, elevators, tubs, sinks, water closets and basins attached cabinets and shelves, garbage disposal equipment, vacuum cleaning equipment, sprinkler systems, fire alarm systems; rugs, carpets, tiling, linoleum and other floor coverings; chandeliers and other lighting fixtures; paneling, woodwork, including millwork and other decorative trim work, shades, wall coverings, draperies, awnings, storm doors and windows; engines; pumps; tanks; motors; conduits; switchboards; plumbing, lifting, cleaning, fire prevention, fire extinguishing and refrigerating apparatus and all other furniture, furnishings and equipment placed in and about the said buildings and improvements for use therein which are necessary to the complete and comfortable use and occupancy of the said buildings and improvements for the purposes for which they were or are to be constructed or erected, and together with all renewals or replacements or articles in substitution for the said enumerated and described items. The items dealt with in this paragraph shall include but not be limited to those shown on any plans and specifications furnished to Lender in connection with the making of the loan hereby secured. Any items dealt with in this paragraph not actually attached to the building or improvements where located shall be deemed to be constructively attached and all items herein dealt with, whether actually or constructively attached, are agreed to be fixtures constituting a part of the realty above-described (all of the foregoing shall be referred to herein as the "Property"). Together with all of Debtor's present and future right, title and interest and claims to the Property. The right is reserved to adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said adjournment on the day and time and place of sale set forth above, and/or to sell to the second highest bidder in the event the highest bidder does not comply with the terms of the sale.

Successor Trustee will make no covenant of seisin or warranty of title, express or implied, and will sell and convey the subject real property by Successor Trustee's Deed, as Successor Trustee only. Said sale shall be subject to any unpaid taxes, mortgages, liens, encumbrances, easements, restrictions and other matters of record or otherwise that are prior in right to the lien of the said Deed of Trust.

This 28th day of February, 2012.
CHARLES W. COOK, SUCCESSOR TRUSTEE
Adams and Reese LLP
424 Church Street, Suite 2700
Nashville, Tennessee 37219
615-259-1450
NS March 1, 8, 15, 2012

NOTICE OF FORECLOSURE

WHEREAS, default having been made in the payment of the debt and obligations, and in the terms and conditions provided for in that certain Revolving Construction Deed of Trust (the "Original Deed of Trust"), dated February 28, 2006, to Brooks R. Smith, Trustee, executed by [illegible] HOMES, LLC, a Tennessee limited liability company (the "Debtor"), as same appears of record as Instrument No. 20060307-0027173(?), Register's Office for Davidson County, Tennessee; and WHEREAS, the Original Deed of Trust was amended by Modification to Deed of Trust, of record as Instrument No. 20070417-[illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. 20080307-0025133(?), said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. 20060126-0010976(?), said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. 20070423-[illegible], said Register's Office, as further amended by Amendment and Modification to Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by Amended and Restated Revolving Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further amended by First Amendment to Amended and Restated Revolving Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as amended by Scrivener's Affidavit, of record as Instrument No. [illegible], said Register's Office, as assigned by Assignment of Amended and Restated Revolving Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office, as further assigned by Assignment of Amended and Restated Revolving Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office, and as further assigned by Assignment of Amended and Restated Revolving Construction Deed of Trust, of record as Instrument No. [illegible], said Register's Office (the "Amendments to Deed of Trust"; the Original Deed of Trust, as amended by the Amendments to Deed of Trust, being hereinafter collectively referred to as the "Deed of Trust"); and WHEREAS, UPP MORTGAGE LTD, a Texas limited partnership, is the beneficiary under the Deed of Trust; and WHEREAS, the entire indebtedness secured by the above referenced Deed of Trust has been accelerated and is past due and unpaid; and, WHEREAS, by instrument dated February 8, 2012, and of record as Instrument No. [illegible], Register's Office for Davidson County, Tennessee, the owner and holder of the debt secured by said Deed of Trust (hereinafter sometimes referred to as "Secured Party") appointed Charles W. Cook as Successor Trustee, in accordance with the provisions contained in said Deed of Trust; and, WHEREAS, as of February 28, 2012, at 8:00 a.m., there were no state or federal tax liens of record against the Debtor in the Register's Office for Davidson County, Tennessee, NOW, THEREFORE, I, Charles W. Cook, as Successor Trustee, acting upon the request of the owner and holder of the debt secured by said Deed of Trust, and by virtue of the power and authority vested in me as Successor Trustee, give notice that I will on

WEDNESDAY, APRIL 4, 2012

commencing at 2:00 o'clock p.m., at the front door of the Davidson County Courthouse, 1 Public Square, Nashville, Davidson County, Tennessee, proceed to sell at public auction to the highest bidder for cash, and free from all equities of redemption, the statutory right of redemption, homestead, dower, and all other rights or exemptions of every kind, all of which are expressly waived in said Deed of Trust, the following described real and personal property in Davidson County, Tennessee (the "Mortgaged Property"), which Mortgaged Property may be sold in whole or in part, to-wit: Land in Davidson County, Tennessee, being Unit Nos. 254, 255, 257, 260, 269 and 270 Phase Two, [illegible] Village at Fairway Pointe, Tract 21, as shown on the plat of record in Plat Book [illegible], page 158, and as shown on amendment to the restrictions of record in Instrument No. [illegible], in the Register's Office for Davidson County, Tennessee, to which Plat reference is hereby made for a more complete description of said property. Being the same property conveyed to [illegible] Homes, LLC, a Tennessee limited liability company, by deed from Westland [illegible] Development, LLC, a Tennessee limited liability company, of record in Instrument Nos. [illegible] and [illegible], said Register's Office. TOGETHER WITH: All buildings and improvements now or hereafter erected upon the above-described property and any all of the following items, whether heretofore or hereafter placed on or upon said property: gas and electric fixtures, radiators, heaters, furnaces, heating equipment, steam and hot water boilers, hot water heaters, and all heating, air-conditioning, freezing, lighting, laundry, incinerating and power equipment, stoves, ranges and ovens, refrigerators, refrigerating plants, elevators, tubs, sinks, water closets and basins attached cabinets and shelves, garbage disposal equipment, vacuum cleaning equipment, sprinkler systems, fire alarm systems; rugs, carpets, tiling, linoleum and other floor coverings; chandeliers and other lighting fixtures; paneling, woodwork, including millwork and other decorative trim work, shades, wall coverings, draperies, awnings, storm doors and windows; engines; pumps; tanks; motors; conduits; switchboards; plumbing, lifting, cleaning, fire prevention, fire extinguishing and refrigerating apparatus and all other furniture, furnishings and equipment placed in and about the said buildings and improvements for use therein which are necessary to the complete and comfortable use and occupancy of the said buildings and improvements for the purposes for which they were or are to be constructed or erected, and together with all renewals or replacements or articles in substitution for the said enumerated and described items. The items dealt with in this paragraph not actually attached to the building or improvements where located shall be deemed to be constructively attached and all items herein dealt with, whether actually or constructively attached, are agreed to be fixtures constituting a part of the realty above-described (all of the foregoing shall be referred to herein as the "Property"). Together with all of Debtor's present and future right, title and interest and claims to the Property. The right is reserved to adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said adjournment on the day and time and place of sale set forth above, and/or to sell to the second highest bidder in the event the highest bidder does not comply with the terms of the sale. Successor Trustee will make no covenant of seisin or warranty of title, express or implied, and will sell and convey the subject real property by Successor Trustee's Deed, as Successor Trustee only. Said sale shall be subject to any unpaid taxes, mortgages, liens, encumbrances, easements, restrictions and other matters of record or otherwise that are prior in right to the lien of the said Deed of Trust.

This 28th day of February, 2012.
CHARLES W. COOK, SUCCESSOR TRUSTEE
Adams and Reese LLP
424 Church Street, Suite 2700