PREPARED BY AND RETURN TO:
Joanna Weir
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
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BILL GARRETT, Davidson County
Trans:T20120033386 DEEDTRS
Recvd: 05/07/12 10:28 3 pgs
Fees:17.00 Taxes:0.00
20120507-0039026

Tennessee FHA

Name: Bonnie Mitchell, and Angel Whitaker aka Angel Whittaker

S&K#: 11-026992

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 20, 2008, recorded in Instrument No. 20080528-0054228 in the Register's Office of Davidson County, Tennessee, Bonnie Mitchell, single, and Angel Whitaker, single conveyed to Charles Patrick Flynn, 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, Wells Fargo Bank, NA appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20120227-0016726, 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, Wells Fargo Bank, NA 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 Wells Fargo Bank, NA, 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 March 29, 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 Wells Fargo Bank, NA, whose address is Wells Fargo Bank, NA, 3476 Stateview Blvd, MAC# X7801-013 (FC), Fort Mill, South Carolina 29715, at and for the sum of $192,907.63, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, NA has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., his successors and assigns; and,

WHEREAS, the purchaser, being the holder of the indebtedness has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Wells Fargo Bank, NA the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Kirsch, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Secretary of Housing and Urban Development, Washington, D.C. his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

The following described property located in the Thirteenth (13th) Civil District of Davidson County, Tennessee, to wit:

Beginning at an iron pin in the Southerly margin of Stevens Lane at the Northwesterly corner of the property conveyed to Elizabeth M. Arrington by deed from Howard B. Moore and wife, of record in Book 3075, Page 326, Register's Office for Davidson County, and running thence along the Southerly margin of Stevens Lane, North 84 degrees 41 minutes West 76 feet to a point; thence Southwardly 430 feet, more or less, to an iron pin at the Northwesterly corner of the property conveyed to Kentucky-Tennessee Conference Association of Seventh Day Adventists by deed from R.B. Beal and wife, of record in Book 2904, Page 39, said Register's Office, the said iron pin being also at the Northeasterly corner of the property conveyed to Kentucky-Tennessee Conference Association of Seventh Day Adventists by deed from R.B. Beal and wife, of record in Book 2961, Page 163, said Register's Office; thence along the Northerly line of the first mentioned Adventists property of record in Book 2904, Page 39, said Register's Office, North 80 degrees 15 minutes East 125 feet to the Southwesterly corner of the property conveyed to Leo Saad by deed from R.B. Beal and wife, of record in Book 2991, Page 464, said Register's Office; thence along Saad's Westerly

line, North 13 degrees West 200 feet to an iron pin at Saad's Northwesterly corner, being also the Southwesterly corner of the said property conveyed to Elizabeth M. Arrington by deed of record in Book 3075, Page 326, said Register's Office; thence along Arrington's Westerly line North 5 degrees 20 minutes East 210.8 feet to the beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20080528-0054228 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. 20080528-0054228 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200605160057118, in the Register's Office for Davidson County, Tennessee.

Subject to any unpaid taxes, subdivision restrictions, building lines and easements, State and Federal tax liens and any other matter of record.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.
TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Secretary of Housing and Urban Development, Washington, D.C. his successors and assigns, in fee simple forever, to whom the said Shapiro & Kirsch, LLP, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

Ashley M. Jones, Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 16th day of April, 2012, before me, a Notary Public, in and for said State and County, personally appeared Ashley M. Jones, with whom I am personally acquainted, and who, upon oath acknowledged to be Authorized Agent 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.

06/01/14
My commission expires:

Notary Public

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

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

PROPERTY ADDRESS: 3503 Stevens Lane, Nashville, Tennessee 37218

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

S & K File #11-026992
Map & Parcel -049 00 0 295.00

PREPARED BY AND RETURN TO:
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SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **March 29, 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 Bonnie Mitchell, single, and Angel Whitaker, single, to Charles Patrick Flynn, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Franklin American Mortgage Company on May 20, 2008 at Instrument No. 20080528-0054228; conducted by Shapiro & Kirsch, LLP having been appointed Substitute or Successor Trustee, all of record in the Davidson County Register's Office. Default has occurred in the performance of the covenants, terms, and conditions of said Deed of Trust and the entire indebtedness has been declared due and payable.

Party Entitled to Enforce the Debt: Owner of Debt: Wells Fargo Bank, NA

The following real estate located in Davidson County, Tennessee, will be sold to the highest call bidder:

Beginning at an iron pin in the Southerly margin of Stevens Lane at the Northwesterly corner of the property conveyed to Elizabeth M. Arrington by deed from Howard B. Moore and wife, of record in Book 3075, Page 326, Register's Office for Davidson County, and running thence along the Southerly margin of Stevens Lane, North 84 degrees 41 minutes West 76 feet to a point; thence Southwardly 430 feet, more or less, to an iron pin at the Northwesterly corner of the property conveyed to Kentucky-Tennessee Conference Association of Seventh Day Adventists by deed from R.B. Beal and wife, of record in Book 2904, Page 39, said Register's Office, the said iron pin being also at the Northeasterly corner of the property conveyed to Kentucky-Tennessee Conference Association of Seventh Day Adventists by deed from R.B. Beal and wife, of record in Book 2961, Page 163, said Register's Office; thence along the Northerly line of the first mentioned Adventists property of record in Book 2904, Page 39, said Register's Office, North 80 degrees 15 minutes East 125 feet to the Southwesterly corner of the property conveyed to Leo Saad by deed from R.B. Beal and wife, of record in Book 2991, Page 484, said Register's Office; thence along Saad's Westerly line, North 13 degrees West 200 feet to an iron pin at Saad's Northwesterly corner, being also the Southwesterly corner of the said property conveyed to Elizabeth M. Arrington by deed of record in Book 3075, Page 326, said Register's Office; thence along Arrington's Westerly line North 5 degrees 20 minutes East 210.8 feet to the beginning.

Street Address: 3503 Stevens Lane, Nashville, Tennessee 37218

Parcel Number: 049 00 0 295.00

Current Owner(s) of Property: Bonnie Mitchell, single, and Angel Whitaker, being one and the same as Angel Whitaker, single

Other interested parties: The Secretary of Housing and Urban Development and U.S. Department of HUD c/o C&L Service Corporation/Morris Griffin, Corporation

The street address of the above described property is believed to be 3503 Stevens Lane, Nashville, Tennessee 37218, 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 HB 3588 letter 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; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right 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.

This sale is subject to all matters shown on any applicable recorded plat any unpaid taxes; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right 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:

The Secretary of Housing and Urban Development and U.S. Department of HUD c/o C&L Service Corporation/Morris Griffin, Corporation

SALE IS SUBJECT TO ONE YEAR RIGHT OF REDEMPTION HELD BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT BY REASON OF THE DEED OF TRUST OF RECORD AT INSTRUMENT NO. 20080528-0054228, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

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 by the Substitute Trustee 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
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File No. 11-026992
Mar. 2, 9, 16, 2012 Fh14292