PREPARED BY AND RETURN TO:
Shapiro & Kirsch, LLP, Attorney
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
Fax (901)761-5690

BILL GARRETT, Davidson County
Trans:T20120034500 DEEDTRS
Recvd: 05/10/12 09:23 6 pgs
Fees:32.00 Taxes:0.00
20120510-0040430

Tennessee FHA

Name: David K. Riggan

S&K#: 11-019703

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 15, 2001, recorded in Instrument No. 20011019-0114185 in the Register's Office of Davidson County, Tennessee, David K. Riggan conveyed to Emmett James House and Bill R. McLaughlin, 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, EverBank appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20110616-0046064, 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, EverBank 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 EverBank, 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 July 22, 2011, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 1:00PM; 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 EverBank, whose address is EverBank, 8100 Nations Way, Jacksonville, Florida 32256, at and for the sum of $108,162.17, that being the highest and best bid offered; and,

WHEREAS, the said EverBank 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 EverBank 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:

Situated in Davidson County, State of Tennessee, and being further described as:

Land in Davidson County, Tennessee, being Lot 36 on the Plan of Larkwood as of record in Book 2900, Page 144, Register's Office for said County.

Said Lot No. 36 fronts 165 feet on the easterly side of Lockwood Drive and extends back 388.57 feet on the Northerly Line and 365.43 feet on the Southerly line, which is a broken line, to a dead line in the rear, measuring 62 feet thereon.

Subject to a ten foot easement for public utilities and drainage along Southerly and rear lines (erroneously referred to as rea liines in Deed of Trust of record in Instrument number 20011019-0114185) of premises, 30 foot building setback line from Lockwood Drive, and conditions of Owners Certificate as shown on Plan of Record in Book 2900, Page 144, of the Register's Office for Davidson County, Tennessee.

Restrictive Covenants as of record in Book 3186, Page 181 of the aforesaid Register's Office.

Subject to all covenants, conditions, restrictions, easements, right of ways, and plat matters of record.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20011019-0114185 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. 20011019-0114185 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200110190114184, 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.

This conveyance is subject to the right of the United States of America to redeem the land as provided for in 26 U.S.C. 7425 (d) (1). Attached hereto is a copy of said notice and letter of compliance.

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
D. Denise Griffin, Managing Foreclosure Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 3rd day of August, 2011, 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.

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

Notary Public

JOHN T. CATRON, JR.
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 579 Lockwood Drive, Nashville, Tennessee 37214

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 #11-019703
Map & Parcel -10704001900

PREPARED BY AND RETURN TO:
Shapiro & Kirsch, LLP, Attorney
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
Fax (901)761-5690

Gerald M. Shapiro
Admitted in Illinois & Florida
Joe M. Kirsch, Managing Partner
Admitted in Tennessee
Sharon N. Fewell, Managing Attorney
Admitted in Arkansas & Tennessee
D. Denise Griffin
Admitted in Arkansas & Tennessee
Ashley M. Jones
Admitted in Arkansas & Tennessee

Shapiro and Kirsch, LLP

ATTORNEYS AT LAW

Bonnie B. Culp
Admitted in Tennessee
Robert Schneider
Admitted in Tennessee
Matthew W. Graves
Admitted in Arkansas Federal Courts, Kentucky & Tennessee
Matthew P. McKay
Admitted in Tennessee & Arkansas
Rebekah Bartlett
Admitted in Tennessee
Jeremy Lipford, Director of Operations

June 16, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
(RECEIPT # 71603901984889361760)

Internal Revenue Service
Area Director - Compliance
Attn: Technical Support - P. Jackson
801 Broadway - MDP 53
Nashville, TN 37203

2011 JUN 20 PM 2:

Attention: P. Jackson

Dear Sir:

The undersigned, Susbstitute Trustee, under that certain purchase money Deed of Trust from David K. Riggan, a single person to Emmett James House and Bill R. McLaughlin, Trustee, dated October 15, 2001, recorded in the Register's Office of Davidson County, Tennessee, in Instrument No. 20011019-0114185 has been requested by the noteholder, EverBank, to sell the security pursuant to the terms of the obligation secured thereby and notice of the proposed sale is hereby given pursuant to Section 7425 of the Internal Revenue Code of 1954.

Enclosed please find a copy of the Notice of Federal Tax Liens recorded in Instrument Number 20110228-0016113, in the Register's Office of Davidson County, TN.

With respect to the property to be sold, the following information is hereby given:

(a) The description of the property is affected by the Notice, as listed in the deed and Deed of Trust recorded in the aforesaid Register's Office Situated in Davidson County, State of Tennessee, and being further described as:

Land in Davidson County, Tennessee, being Lot 36 on the Plan of Larkwood as of record in Book 2900, Page 144, Register's Office for said County.

Said Lot No. 36 fronts 165 feet on the easterly side of Lockwood Drive and extends back 388.57 feet on the Northerly Line and 365.43 feet on the Southerly line, which is a broken line, to a dead line in the rear, measuring 62 feet thereon.

Subject to a ten foot easement for public utilities and drainage along Southerly and rear lines (erroneously referred to as rea liines in Deed of Trust of record in Instrument number 20011019-0114185) of premises, 30 foot building setback line from Lockwood Drive, and conditions of Owners Certificate as shown on Plan of Record in Book 2900, Page 144, of the Register's Office for Davidson County, Tennessee.

Restrictive Covenants as of record in Book 3186, Page 181 of the aforesaid Register's Office.

Subject to all covenants, conditions, restrictions, easements, right of ways, and plat matters of record.

(b) The proposed sale of the property, pursuant to the terms of the first Deed of Trust referred to above is to be held on **July 22, 2011 @ 1:00PM;** Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee.

The approximate amount of the principal obligation, including interest, secured by the lien of said Deed of Trust and description of the other expenses which may be charged against the sale proceeds are as follows:

Total Amount Due	$105,631.88
Attorney fees	$600.00
Advertisement	$450.00
Recording charges	$32.00
State tax	$352.16
TOTAL	$107,066.04

Enclosed is a copy of the Deed of Trust.

If your office is in need of further information, please advise.

Sincerely,

LAW OFFICES OF SHAPIRO & KIRSCH, LLP

Joe M. Kirsch

Enclosures
cc: EverHome Mortgage Company

irs2.ltr
S & K #11-019703

3758

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
758035211

For Optional Use by Recording Office

BILL GARRETT, Davidson County
Trans:T20110012051 LIENFTL
Recvd: 02/28/11 15:26 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20110228-0016113

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer DAVID K RIGGAN

Residence 579 LOCKWOOD DR
NASHVILLE, TN 37214-3649

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2005	XXX-XX-6638	09/08/2008	10/08/2018	
1040	12/31/2005	XXX-XX-6638	03/29/2010	04/28/2020	7515.61
1040	12/31/2006	XXX-XX-6638	03/01/2010	03/31/2020	2569.13

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 10084.74

This notice was prepared and signed at NASHVILLE, TN, on this,

the 22nd day of February, 2011.

Signature
for FRED BANKS

Title
ACS SBSE
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form **668(Y)(c)** (Rev. 2-2004)
CAT. NO 60025X

COST OF PUBLICATION

First Insertion [redacted]
Second Insertion
Third Insertion

Total [redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **July 22, 2011 at 1:00 PM local time**, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by David K. Riggan, a single person, to Emmett James House and Bill R. McLaughlin, Trustee, on October 15, 2001 at Instrument No. 20011019-0114185; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: EverBank

The following real estate located in Davidson County, Tennessee, will be sold to the highest cell bidder subject to all unpaid taxes; prior liens and encumbrances of record:

Situated in Davidson County, State of Tennessee, and being further described as:

Land in Davidson County, Tennessee, being Lot 36 on the Plan of Larkwood as of record in Book 2900, Page 144, Register's Office for said County.

Said Lot No. 36 fronts 155 feet on the easterly side of Lockwood Drive and extends back 368.57 feet on the Northerly Line and 365.43 feet on the Southerly line, which is a broken line, to a deed line in the rear, measuring 62 feet thereon.

Subject to a ten foot easement for public utilities and drainage along Southerly and rear lines (erroneously referred to as rear lines in Deed of Trust of record in Instrument Number 20011019-0114185) of premises, 30 foot building setback line from Lockwood Drive, and conditions of Owners Certificate as shown on Plan of Record in Book 2900, Page 144, of the Register's Office for Davidson County, Tennessee.

Restrictive Covenants as of record in Book 3186, Page 181 of the aforesaid Register's Office.

Subject to all covenants, conditions, restrictions, easements, right of ways, and plat matters of record.

Street Address: 579 Lockwood Drive, Nashville, Tennessee 37214

Current Owner(s) of Property: David K. Riggan unmarried

The street address of the above described property is believed to be 579 Lockwood Drive, Nashville, Tennessee 37214, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

Notice of this Substitute Trustee's Sale has been timely given to the United States as required by 26 U.S.C. § 7425(b).

Terms of Sale will be public auction, for cash, free and clear of rights of homestead, redemption and dower, and the rights of David K. Riggan, a single person, and those claiming through them, and subject to the right of redemption by the DEPARTMENT OF TREASURY, INTERNAL REVENUE SERVICE by reason of tax lien of record in Instrument Number 20110228-0016113 at the Register's Office of Davidson County, Tennessee, subject to any accrued taxes and restrictions.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee.

The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above.

If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder.

This property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded at any time.

This office may be a debt collector. This may be an attempt to collect a debt and any information obtained may be used for that purpose.

Shapiro & Kirsch, LLP Substitute Trustee
www.kirschattorneys.com
Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690

File No. 11-019703
June 24, July 1, 8, 2011 Pg12721

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:

June 24, 2011
July 1, 2011
July 8, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 8th day of **July 2011**, 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

11-019703