BILL GARRETT, Davidson County
Trans: T20120035936 DEEDTRS
Recvd: 05/16/12 10:35 3 pgs
Fees: 18.00 Taxes: 393.68
20120516-0042293

FILE NO.: 10-00891

THIS INSTRUMENT PREPARED BY AND RETURN TO:
M.TODD JACKSON, ATTORNEY, TN BPR 23455
BROCK & SCOTT, PLLC
5431 OLEANDER DRIVE, SUITE 200
WILMINGTON, NC 28403

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Jose A. Monjaraz, a married person, conveyed to Commonwealth Title Agency as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth in a Deed of Trust dated July 28, 2005, recorded on August 1, 2005 in Instrument 200508010089785 in the Office of the Register of Deeds of Davidson County, Tennessee, and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to **Bayview Loan Servicing, LLC**; and

WHEREAS, Bayview Loan Servicing, LLC, being the holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record at Instrument No. 201108120062248, in the Office of the Register of Deeds 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 the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, pursuant to Tenn. Code Ann. § 35-5-117(i), not less than sixty (60) days prior to the first publication required by § 35-5-101, the Notice of Right to Foreclose was properly sent, if so required; and

WHEREAS, at the time and place mentioned in referenced advertisement, Tom Upton, the undersigned's agent, offered said property for sale at public outcry at the Davidson Courthouse on April 10, 2012 at 11:00AM to the highest and best bidder for cash, at which sale James Roberts, being the best, highest and last bidder, became the purchaser of said property at and for the sum of $[redacted]401.00; and

WHEREAS, the holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust; and

NOW, THEREFORE, in consideration of the premises and of the payment by James Roberts as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, Brock & Scott, PLLC, as Substitute Trustee, does hereby grant, bargain, sell and

convey unto James Roberts, his successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Garrett Subdivision, a plat of which is of record in Plat Book 7900, page 658, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description of said lot.

Included in the above description but excluded from this conveyance is that certain parcel conveyed to Metropolitan Government of Nashville & Davidson of record in Instrument 200904070031687, Register's Office for Davidson County, Tennessee.

Being part of the same property conveyed to Jose A. Monjaraz, married by Warranty Deed from John Bradley and Carolyn Bradley, husband and wife, dated July 28, 2005, recorded August 1, 2005, of record in Instrument 200508010089784, Register's Office for Davidson County, Tennessee.

This conveyance is subject to Restrictive Covenants as contained in deed of record in Book 9249, page 526 and a Sewer Easement to Metropolitan Government of Nashville and Davidson County, Tennessee along front lot line of record in Book 4144, page 704, Register's Office for said County.

Property commonly known as: 441 Neelys Bend Road, Madison, TN 37115.

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said James Roberts, its/his/her successors and assigns forever, to whom the said, Brock & Scott, PLLC, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under it, as such Substitute Trustee, but not further or otherwise.

FILE NO.: 10-00891

IN TESTIMONY WHEREOF, **Attorney M.Todd Jackson** of Substitute Trustee, has hereunto set his hand, this 16 day of April, 2012.

Brock & Scott, PLLC

By: _____

M.TODD JACKSON, Attorney
TN BPR 23455
Brock & Scott, PLLC
Substitute Trustee
5431 Oleander Drive, Suite 200
Wilmington, NC 28403

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

[redacted] Before me, a Notary Public in the State and County aforementioned personally appeared M Todd Jackson, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be an Attorney of Brock & Scott, the within named bargainor a PLLC, and that such person as such Attorney executed the forgoing instrument for the purpose therein contained by signing the name of the PLLC by such person as Attorney.

WITNESS my hand and Notarial Seal the day and year above written.

SUZANNE THOMAS STATE OF TENNESSEE NOTARY PUBLIC RUTHERFORD COUNTY My Commission Expires April 18, 2015

Suzanne Thomas
Notary Public

My Commission Expires: _____

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

I hereby swear or affirm that to the best of my knowledge, belief and information, the actual consideration for this transfer or value of the property transferred, whichever is greater, is [redacted]01.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me on this 16 day of April, 2012

SUZANNE THOMAS STATE OF TENNESSEE NOTARY PUBLIC RUTHERFORD COUNTY My Commission Expires April 18, 2015

Suzanne Thomas
Notary Public

~~My Commission Expires:~~ _____

Brock & Scott File No.: 10-00891
Property Address: 441 Neelys Bend Road, Madison, TN 37115
Tax Parcel I.D. No.: 052.01-0-341.00
Property Owner and Tax Notices:
James Roberts
201 Thompson Lane #200
Nashville, TN 37211

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$ 106,401
Affiant
Subscribed and sworn before me this the
16 **Day of** May, 2012.
Brandi Wells, **Deputy Register**