PREPARED BY AND RETURN TO:
Lori Winston
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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Tennessee FHA

BILL GARRETT, Davidson County
Trans:T20120039958 DEEDTRS
Recvd: 05/31/12 13:13 3 pgs
Fees:17.00 Taxes:0.00
20120531-0047253

Name: Devonie L. Cunning, a/k/a Devonie Cunning and Amy Cunning a/k/a Amy Willoughby Cunning

S&K#: 11-014442

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 12, 2007, recorded in Instrument No. 20071022-0125040 in the Register's Office of Davidson County, Tennessee, Devonie L. Cunning conveyed to Kathryn L. Harris, 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 20110909-0070026, 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 August 5, 2011 at 1:00PM, at which time it was announced the sale be adjourned to September 6, 2011 at 12:00PM, at which time it was announced the sale be adjourned to September 13, 2011 at 10:00AM, at which time it was announced the sale be adjourned to October 12, 2011 at 10:00AM, at which time it was announced the sale be adjourned to November 10, 2011 at 10:00AM at which time it was announced the sale be adjourned to December 22, 2011 10:00AM, at which time it was announced the sale be further adjourned to January 10, 2011, 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 $233,470.17, 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 Antioch, County of Davidson, State of Tennessee, to-wit:

Land in Davidson County, Tennessee, to wit:

Being Lot Number 190, on the Plan of Phase II, Section I, Long Hunter Chase, of record in Book 7900, Pages 763 & 764, Register's Office for said County, to which plan reference is hereby made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20071022-0125040 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. 20071022-0125040 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200710220125039 , in the Register's Office for Davidson County, Tennessee.

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 20th day of January, 2012, before me, a Notary Public, in and for said State and County, personally appeared Denise Griffin, with whom I am personally acquainted, and who, upon oath acknowledged to be managing attorney 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.

10-10-2012
My commission expires:

Notary Public

LORI E. WINSTON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

My Comm. Exp. 10-10-2012

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

PROPERTY ADDRESS: 4424 Benchmark Drive (per Deed of Trust), 4424 Bench Mark Drive (per Assessor), Antioch, Tennessee 37013

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 #11-014442
Map & Parcel -151090A19000CO

PREPARED BY AND RETURN TO:
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COST OF PUBLICATION

First Insertion [redacted]
Second Insertion
Third Insertion

Total [redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on August 5, 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 Devonte L. Cunning, to Kathryn L. Harris, Trustee, on October 12, 2007 at Instrument No. 20071022-0125040; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: Wells Fargo Bank, NA.

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

Land in Davidson County, Tennessee, to wit:

Being Lot Number 190, on the Plan of Phase II, Section I, Long Hubter Chase, of record in Book 7900, Page 763 & 764, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Street Address: 4424 Benchmark Drive (per Deed of Trust), 4424 Bench Mark Drive (per Assessor), Antioch, Tennessee 37013

Parcel ID # 151090A190000O

Current Owner(s) of Property: Devonte Cunning and wife, Amy Willoughby Cunning

The street address of the above described property is believed to be 4424 Benchmark Drive (per Deed of Trust), 4424 Bench Mark Drive (per Assessor), Antioch, Tennessee 37013, but such address is not part of the description of the property sold herein and in case of any discrepancy, the legal description herein shall control.

SUBJECT TO TENANT(S) RIGHTS [illegible]

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

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. [illegible]

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.shapirokirschnews.com
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Phone (901)767-5566
Fax (901)761-5660

File No. 11-014442
July 8, 15, 22, 2011

Pg12854

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:

July 8, 2011
July 15, 2011
July 22, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 22nd 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

11-014442