This instrument prepared by:
J. PHILLIP JONES
ATTORNEY AT LAW
1800 HAYES STREET
NASHVILLE, TN 37203
PARCEL ID: 082 06 0 037.00
709 DICKERSON PIKE
NASHVILLE, TENNESSEE 37207

NO MORTGAGE
New Owner - Send Tax Bills:
BAYVIEW LOAN SERVICING, LLC
5TH FLOOR MERRICK PARK PLAZA
4425 PONCE DE LEON BLVD
CORAL GABLES, FL 33146

BILL GARRETT, Davidson County
Trans:T20120041296 DEEDTRS
Recvd: 06/05/12 11:52 4 pgs
Fees:23.00 Taxes:286.75
20120605-0048943

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on **MARCH 28, 2007, CUMBERLAND TITLE** was named Trustee in a Deed of Trust of even date executed by **JAMES ARMSTRONG (A/K/A JAMES D. ARMSTRONG)**, conveying to them as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of **$175,000.00**, principal and interest at **6.50%** per annum on the unpaid balance, said Deed of Trust being recorded in **INSTRUMENT NO. 20070409-0041617, SEE ALSO, ASSIGNMENT OF LEASES AND RENTS, OF RECORD IN INSTRUMENT NO. 20070409-0041618, WHICH SECURE THE SAME DEBT AS SAID DEED OF TRUST,** in the Register's Office for **DAVIDSON** County, Tennessee; and

IF applicable the notice required by T.C.A. 35-5-101 et seq. having been met and whereas, **J. PHILLIP JONES** was appointed Substitute Trustee under said Deed of Trust by instrument of record in **INSTRUMENT NO. 20110722-0056347** in the Register's Office for **DAVIDSON** County, Tennessee; I, **J. PHILLIP JONES**, Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3) successive publications, namely: **FEBRUARY 17, 2012/ FEBRUARY 24, 2012/ MARCH 2, 2012** in **DAVIDSON A.M.**, a newspaper of general circulation in **DAVIDSON** County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on **FRIDAY, MARCH 30, 2012 AT 3:00 P.M. AND BY PUBLIC ANNOUNCEMENT CONTINUED TO MAY 11, 2012 AND BY PUBLIC ANNOUNCEMENT CONTINUED TO MAY 25, 2012 AT 1:00 P.M. , ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK) OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE,** I, **J. PHILLIP JONES,** individually or by and through his agent as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time **BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 4425 PONCE DE LEON BLVD, CORAL GABLES, FL 33146**, submitted the highest and best bid in the amount of **77,500.00**

NOW THEREFORE, in consideration of the premises, I, **J. PHILLIP JONES**, Substitute Trustee, do hereby sell, transfer and convey to **BAYVIEW LOAN SERVICING, LLC,** its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, to-wit:

PROPERTY LOCATED IN THE COUNTY OF DAVIDSON, TENNESSEE:

BEING LOT NOS. 4 AND 5 AND THE SOUTHERLY 20 FEET OF LOT 6, ON THE PLAN OF DR. V.S. LINDSEY'S ADDITION TO EDGEFIELD, NOW EAST NASHVILLE, AS OF RECORD IN PLAT BOOK 57, PAGE 25, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH SAID PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION THEREOF.

SAID LOT NOS. 4 AND 5 FRONT TOGETHER, 120 FEET ON THE EASTERLY SIDE OF NORTH FIRST STREET, FORMERLY WHITE'S CREEK PIKE, AND EXTENDS BACK BETWEEN PARALLEL LINES, 150 FEET MORE OR LESS TO AN ALLEY.

BEING THE SAME PROPERTY CONVEYED TO JAMES D. ARMSTRONG BY DEED DATED DECEMBER 2, 2003, OF RECORD IN INSTRUMENT NO. 20031208-0175605, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

SUBJECT TO THE RIGHT OF REDEMPTION OF THE TENNESSEE DEPARTMENT OF REVENUE.

THIS IS IMPROVED PROPERTY KNOWN AS 709 DICKERSON PIKE, NASHVILLE, TENNESSEE 37207.

I, **J. PHILLIP JONES**, Substitute Trustee, convey to **BAYVIEW LOAN SERVICING, LLC**, all the rights conveyed to me as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, all my actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at Nashville, Tennessee, on **MAY 25, 2012.**

J. PHILLIP JONES
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **J. PHILLIP JONES**, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at Nashville, Tennessee on **MAY 25, 2012.**

Elizabeth P. Guye
Notary Public

My Commission Expires: 1/21/2013

Elizabeth P. Guye STATE OF TENNESSEE NOTARY PUBLIC Rutherford County

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $77,500.00

Affiant

Subscribed and sworn to before me, this **25TH day of MAY, 2012.**

Elizabeth P. Guye
Notary Public

My Commission Expires: 1/21/2013

RETURN TO:
J. PHILLIP JONES
1800 HAYES STREET
NASHVILLE, TN 37203

Elizabeth P. Guye STATE OF TENNESSEE NOTARY PUBLIC Rutherford County

Law Office
Of
J. PHILLIP JONES

J. Phillip Jones
Jason S. Mangrum

1800 Hayes Street
Nashville, TN 37203
www.phillipjoneslaw.com

Phone (615) 254-4430
Fax (615) 254-4671

February 15, 2012

HAND DELIVERED

Tennessee Department of Revenue
500 Deadrick Street
Nashville, TN 37242

Re:	Borrower/Taxpayer:	Armstrong, James
	Entity ID No.	XXX-XX-1398
	Foreclosure Sale Date:	March 30, 2012
	Property:	709 DICKERSON PIKE NASHVILLE, TN 37207

Dear Sir or Madam:

This will serve as notification to the Department that real property and improvements which are affected by a Tax Lien referred to above will be sold at a foreclosure sale being conducted on behalf of the first mortgage holder to the highest bidder on **FRIDAY, MARCH 30, 2012 AT 3:00 P.M., ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK) OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE.** The property is more particularly described in the attached documentation.

Please find the following attached:

1. Copy of the Tax Lien;
2. Copy of the Deed of Trust being foreclosed; and
4. Copy of the Notice of Publication.

The approximate outstanding balance of the Promissory Note which is secured by the Deed of Trust being foreclosed is **$189,453.57**. This amount includes an unpaid principal balance of **$174,870.17**, plus accrued interest, late charges, escrow advance, securing and protection expenses and/or attorney's fee which combined total approximately **$14,583.40**. The holder of the indebtedness expects to bid the total outstanding balance, but it reserves the right to bid less if circumstances justify in order to preserve a deficiency.

Please forward your acknowledgment of this Notice to the above stated address. If you have any questions or require anything further, please do not hesitate to contact me.

Sincerely,

J. PHILLIP JONES, ATTORNEY

J. Phillip Jones

JPJ/kk
Enclosures
RECEIVED BY: Eddie White
DATE: 02/16/12

Hand Delivered
10:55 a.m.
2/16/12

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

February 27, 2012

J. Phillip Jones
1800 Hayes Street
Nashville, TN 37203

Re: Foreclosure Sale of Property Owned by: **James Armstrong**
Entity Number: **002 xxx-xx-1398**
709 Dickerson Pike

This is in reference to your letter dated February 15, 2012 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **March 30, 2012** is **$3,648.27**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Rosemary Maltese, Accounting Technician 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*