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PREPARED BY AND RETURN TO:
Kelly Lipford
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(901)767-5566
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Name: Darren L. Johnson, and Gayal S. Johnson
S&K#: 11-018941

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 9, 2004, recorded in Instrument No. 20040715-0084330, in the Register's Office of Davidson County, Tennessee, Darren L. Johnson and wife, Gayal S. Johnson conveyed to Smith, Hirsch, Blackshear & 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, The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement appointed the undersigned as Substitute Trustee by Instrument of record in Instrument 20120209-0011539, 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, The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement 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 Foreclosure 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust, by which advertisement the sale was appointed to be held on March 9, 2012 at 12:00 PM, at which time it was announced the sale adjournment to be held on April 9, 2012 at 12:00 PM, at which time it was announced the sale was further adjourned to be held on June 11, 2012, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 12:00 PM; 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, whose address is Nationstar Mortgage, 350 Highland Dr., Lewisville, Texas 75067, at and for the sum of $185,922.10, that being the highest and best bid offered; 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, its 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:

Described property located in Davidson County, Tennessee, and being more particularly described as follows:

Located in the Northeasterly margin of Ashland City Highway said point of beginning being the most Westerly corner of the herein described tract; thence from said point of beginning in a Northeasterly direction 282 feet to a 10 inch cedar tree; thence in a Southeasterly direction 169 feet to an iron pin; thence in a Southwesterly direction 284 feet to an iron pin located in the Northeasterly margin of Ashland City Highway; thence with the margin of said highway 165.9 feet to the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20040715-0084330, 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. 20040715-0084330, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed Instrument 200407150084329, 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, its 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 it, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set its hand and seal this 18th day of June, 2012

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 18th day of June, 2012, before me, a Notary Public, in and for said State and County, personally appeared Ashley Jones, with whom I am personally acquainted, and who, upon oath acknowledged himself/herself to be an authorized signatory 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

HILARY MARTIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $185,922.10, 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 the date written above.

MY COMMISSION EXPIRES
JANUARY 05, 2015

My commission expires:

_____
Notary Public

HILARY MARTIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

PROPERTY ADDRESS: 4014 Ashland City Highway, Nashville, Tennessee 37218

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement
350 Highland Dr.
Lewisville, Texas 75067

S&K File #11-018941
Map & Parcel -06911004400

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 **March 9, 2012 at 12:00 PM local time,** at the Davidson County Courthouse, south main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Darren L. Johnson and wife, Gayel S. Johnson, to Smith, Hirsch, Blackshear & Harris, Trustee, on July 9, 2004 at Instrument No. 20040715-0064330; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2004-AA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement

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

Described property located in Davidson County, Tennessee, and being more particularly described as follows:

Located in the Northeasterly margin of Ashland City Highway said point of beginning being the most Westerly corner of the herein described tract; thence from said point of beginning in a Northeasterly direction 282 feet to a 10 inch cedar tree; thence in a Southeasterly direction 159 feet to an iron pin; thence in a Southwesterly direction 284 feet to an iron pin located in the Northeasterly margin of Ashland City Highway; thence with the margin of said highway 166.9 feet to the point of beginning.

Street Address: 4014 Ashland City Highway, Nashville, Tennessee 37218

Parcel Number: 08911004400

Current Owner(s) of Property: Darren L. Johnson

Other interested parties: First Tennessee Bank, N.A., First Tennessee Email, Cavalier BF LLC and Cavalier BF LLC

The street address of the above described property is believed to be 4014 Ashland City Highway, 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 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.

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
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File No. 11-018941
Feb. 10, 17, 24, 2012 Rh14150

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, Williamson, Cheatham and Dixon County in Tennessee, states that the hereto attached publication appeared in The Westview on the following dates:

February 10, 2012
February 17, 2012
February 24, 2012

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **24th** day of **February 2012,** 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

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