BILL GARRETT, Davidson County
Trans:T20120054574 DEEDTRS
Recvd: 07/25/12 12:55 3 pgs
Fees:17.00 Taxes:0.00
20120725-0065329

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

Name: Sherry D. Story, Christy Reeves
S&K#: 12-033179

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 2, 2007, recorded in Instrument No. 20070413-0044458, in the Register's Office of Davidson County, Tennessee, Sherry D. Story and Christy S. Reeves, both unmarried conveyed to Southeast Title, 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 20120424-0034884, 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 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 Wells Fargo Bank, NA, 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 May 15, 2012, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 10:00 AM; 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 $211,787.59, 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 Madison, County of Davidson, State of Tennessee, to-wit:

Land in Davidson County, Tennessee, described as follows, to-wit:

TRACT One:

Land in the 11th Civil District of Davidson County, Tennessee, being described according to a copy of a survey made by Hal R. Swann, Jr., Surveyor June 30, 1952, as follows: BEGINNING at an iron pin in the southwesterly margin of Neeley's Bend Road, at the northeast corner of the property conveyed to HA Bains and wife, Mary Lee Bains, by deed from Edward E. Marlin and wife, of record in Book 2018, page 49, said Register's; thence along the Bains' easterly lin, South 18 degrees 30 minutes West 423.8 feet to an iron pin; thence an westerly direction 100 feet to an iron pin; thence northeastwardly 359.5 feet to an iron pin in the southwesterly margin of Neeley's Bend Road; thence with the margin of said road, northwestwardly 160 feet to the beginning.

Tract Two:

A small tract of land in the 11th Civil District of Davidson County, Tennessee, being described according to a survey thereof by Cantrell, Connell & Morrison, September 10, 1952, as follows: BEGINNING at an iron pin at the southeast corner of the property conveyed to L. M. Nelson and wife, by deed of record in Book 2088, page 6, Register's Office for said County, said pin being 359.5 feet, more or less, from the southerly margin of Neeley's Bend Road, thence South 22 degrees 28 minutes East 175.5 feet to an iron pin in a fence line; thence along said fence line, North 63 degrees 33 minutes West 81.5 feet to an iron pin in the southeast corner of the property conveyed to H. A. Bains and wife, by deed of record in Book 2018, page 49, said Register's Office; thence with Bains' easterly line, North 19 degrees 23 minutes East 159.9 feet to an iron pin at the southwest corner of the Nelson property above mentioned; thence with Nelsons' rear line, South 74 degrees 32 minutes East 100 feet to the beginning, containing 0.35 acres (acreage not warranted), more or less.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20070413-0044458, 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. 20070413-0044458, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Instrument Number 200509300117492, 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 Secretary of Housing and Urban Development, Washington, D.C., his 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 24th day of May, 2012.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 24 day of May, 2012, 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 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.

04-20-14
My commission expires:

_____
Notary Public

ERIC FLEMING
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 1108 Neelys Bend Road, Madison, Tennessee 37115

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 #12-033179
Map & Parcel -052 12 0 001.00

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

COST OF PUBLICATION

First Insertion	$[redacted]
Second Insertion	
Third Insertion	
Total	$[redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **May 16, 2012 at 10:00 AM local time,** at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Sherry D. Story and Christy S. Reeves, both unmarried, to Southeast Title, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS") solely as nominee for American Home Mortgage on April 2, 2007 at Instrument No. 20070413-0044458; conducted by Shapiro & Kirsch, LLP having been appointed Substitute or Successor Trustee, all of record in the Davidson County Register's Office. Default has occurred in the performance of the covenants, terms, and conditions of said Deed of Trust and the entire indebtedness has been declared due and payable.

Party Entitled to Enforce the Debt: Owner of Debt: Wells Fargo Bank, NA

The following real estate located in Davidson County, Tennessee, will be sold to the highest cash bidder:

Land in Davidson County, Tennessee, described as follows, to-wit:

Tract One:

Land in the 11th Civil District of Davidson County, Tennessee, being described according to a copy of a survey made by Hal R. Swann, Jr., Surveyor June 30, 1952, as follows: BEGINNING at an iron pin in the southwesterly margin of Neeley's Bend Road, at the northeast corner of the property conveyed to HA Bains and wife, Mary Lee Bains, by deed from Edward E. Martin and wife, of record in Book 2018, page 49, said Register's; thence along the Bains' easterly lin, South 18 degrees 30 minutes West 423.8 feet to an iron pin; thence an westerly direction 100 feet to an iron pin; thence northeastwardly 359.5 feet to an iron pin in the southwesterly margin of Neeley's Bend Road; thence with the margin of said road, northwestwardly 160 feet to the beginning.

Tract Two:

A small tract of land in the 11th Civil District of Davidson County, Tennessee, being described according to a survey thereof by Cantrell, Connell & Morrison, September 10, 1952, as follows: BEGINNING at an iron pin at the southeast corner of the property conveyed to L. M. Nelson and wife, by deed of record in Book 2088, page 6, Register's Office for said County, said pin being 359.5 feet, more or less, from the southerly margin of Neeley's Bend Road, thence South 22 degrees 28 minutes East 175.5 feet to an iron pin in a fence line; thence along said fence line, North 63 degrees 33 minutes West 81.5 feet to an iron pin in the southeast corner of the property conveyed to H. A. Bains and wife, by deed of record in Book 2018, page 49, said Register's Office; thence with Bains' easterly line, North 19 degrees 23 minutes East 159.9 feet to an iron pin at the southwest corner of the Nelson property above mentioned; thence with Nelsons' rear line, South 74 degrees 32 minutes East 100 feet to the beginning, containing 0.35 acres (acreage not warranted), more or less.

Street Address: 1108 Neelys Bend Road, Madison, Tennessee 37115

Parcel Number: 052 12 0 001.00

Current Owner(s) of Property: Sherry D. Story, unmarried and Christy Reeves, unmarried

The street address of the above described property is believed to be 1108 Neelys Bend Road, Madison, Tennessee 37115, 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 HB 3588 letter mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-5-117. This sale is subject to all matters shown on any applicable recorded plat any unpaid taxes; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose.

This sale is subject to all matters shown on any applicable recorded plat any unpaid taxes; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose.

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 by the Substitute Trustee 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. 12-033179
Apr. 20, 27, May 4, 2012 Fhl14700

PROOF OF PUBLICATION

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER, the Publisher of the NASHVILLE LEDGER, a weekly newspaper of general circulation printed in the State of Tennessee and distributed throughout Davidson, Williamson, Cheatham and Dixon counties in Tennessee, states that the hereto attached publication appeared in the NASHVILLE LEDGER on the following dates:

April 20, 2012
April 27, 2012
May 4, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 4th day of **May 2012,** this instrument was signed and sealed on behalf of the corporation (or association), by authority of its Board of Directors and **Catron 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