RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Allen W. Ladd

GRANTEE(s)
The Secretary of Housing and Urban Development, his/her successors and/or assigns

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

BILL GARRETT, Davidson County
Trans:T20120057324 DEEDTRS
Recvd: 08/03/12 08:26 7 pgs
Fees:37.00 Taxes:0.00
20120803-0068811

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated October 23, 2002 and recorded October 29, 2002, as Instrument No. 20021029-0132184 in the Register's Office of Davidson County, Tennessee, Allen W. Ladd conveyed to Dennie R. Marshall, Davidson County, as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for GMAC Mortgage Corporation and GMAC Mortgage Corporation's successors and assigns, 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 holder of the debt secured has appointed **SHELLIE WALLACE** as Successor Trustee and **J.P. SELLERS** as Co-Trustee by instrument of record recorded on April 13, 2011 as Instrument No. 20110413-0028280 in the Register's Office 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 has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on April 15, 2011 and was advertised a total of three times, prior to actual sale date. The HB 3588 letter was mailed to the borrower(s) on February 10, 2011 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on May 11, 2011 at the Bridgestone Arena in Nashville, Tennessee, 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 GMAC Mortgage, LLC, at and for the sum of $99,691.84, that being the highest and best bid offered; and

WHEREAS, the said GMAC Mortgage, LLC has assigned its interest in said property to The Secretary of Housing and Urban Development, his/her successors and/or assigns; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Co-Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by GMAC Mortgage, LLC of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Co-Trustee does hereby grant, bargain, sell, and convey to The Secretary of Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

A certain tract or parcel of land in Davidson County, Tennessee, described as follows: Being a tract of land lying on the east side of Higdon Road and being all of the property described in Book 5925, Page 591. Register's office; Davidson County Tennessee and further described according a mortgage loan inspection made by Campbell, McRae and Associates Surveying. Inc. License number 1838, dated May 17, 2000 as follows: Beginning at a point in the centerline of Higdon Road; said point being the southwest corer of the Jonathan D. West property of record in Book 9981, Page 131, Register's Office, Davidson County, Tennessee and the northwest corner of the herein described tract; thence leaving said road, South 67 degrees, 08 minutes East, 699.91 feet to a point; thence South 71 degrees, 41 minutes East, 178 feet to a point; thence North 09 degrees 42 minutes West, 430.00 feet to a point; thence North 78 degrees, 00 minutes East, 200.00 feet to a point; thence South 09 degrees, 57 minutes East, 471.00 feet to a point; thence South 74 degrees, 00 minutes West, 124.00 feet to a point; thence South 45 degrees, 00 minutes West, 97.00 feet to a point; thence South 09 degrees, 42 minutes East, 26.00 feet to a point; thence South 13 degrees, 00 minutes East, 142.00 feet Calc. to a point; thence North 86 degrees, 50 minutes West, 270.00 feet

to a point in the Southeast corner of the Ralph Meadows property of record in Book 5925, Page 691. Register's Office, Davidson County, Tennessee; thence North 09 degrees, 00 minutes East 242.00 feet to a point; thence North 66 degrees, 56 minutes West, 692.27 feet to a point in the centerline of Higdon Road, thence along said centerline of said road, North 00 degrees, 15 minutes West, 50.00 feet to the point of beginning, together with the right of ingress and egress of a Joint Driveway called Cotton Patch Road of record in Book 7709, Page 613, Register's Office, Davidson County, Tennessee.

Being the same property conveyed to Allen W. Ladd by Warranty Deed recorded August 2, 2000 , as Instrument No. 200008020076430, Register's Office for Davidson County, Tennessee.

Commonly known as: 5633 Higdon Road, Joelton, Tennessee 37080.

Tax Parcel No.: 036-000-024.00

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto The Secretary of Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Co-Trustee has hereunto set his or her hand and seal this 12 day of May, 11.

J.P. Sellers
Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, J.P. Sellers, as Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 12 day of May, 11.

Notary Public

My Commission Expires:

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $99,691.84, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes pursuant to TCA. § 13-23-127.

J.P. Sellers
Co-Trustee

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified J.P. Sellers, as Co-Trustee, with who I am personally acquainted, and whom acknowledged that such person executed the foregoing Form for Oath for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas, this 12 day of May, 11.

Notary Public

My Commission Expires: _____

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2016

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Michaelson, Connor & Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

FHA No. 483-317507-1-703

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who after being duly sworn, deposed and stated:

1. I am the Co-Trustee with a certain deed of trust, dated October 23, 2002, recorded October 29, 2002, as Instrument No. 20021029-0132184 in the Register's Office of Davidson C ounty, Tennessee, executed by Allen W. Ladd in favor of Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for GMAC Mortgage Corporation and GMAC Mortgage Corporation's successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for GMAC Mortgage Corporation and GMAC Mortgage Corporation's successors and assigns.

2. GMAC Mortgage, LLC is the holder of or agent for the holder of the indebtedness secured by said deed of trust.

3. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least three (3) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

4. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C.S. §501, *et seq*. (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 12 day of May, 11.

J.P. Sellers
Affiant

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, J.P. Sellers, Co-Trustee, with whom I am personally acquainted, and who acknowledged that he or she executed the within instrument as Co-Trustee for the purposes therein contained.

Witness my hand and seal at office in Little Rock, Arkansas this 12 day of May, 11.

Notary Public

My Commission Expires: _____

MISTY M. SOBANSKI
Notary Public-Arkansas
Faulkner County
My Commission Expires 06-03-2015

FHA No. 483-317507-1-703
DServiceMembersAffidavitTN_jdean_110511_1231

Department of Defense Manpower Data Center

Feb-10-2011 09:57:22

Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
LADD	ALLEN	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL http://www.defenselink.mil/faq/pis/PC09SLDR.html. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion

Total

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated October 23, 2002, and the Deed of Trust of even date securing the same, recorded October 29, 2002, as Instrument No. 20021029-0132184 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Allen W. Ladd, conveying certain property therein described to Dennie R. Marshall, Davidson County as Trustee for Mortgage Electronic Registration Systems, Inc., as a separate corporation that is acting solely as a nominee for GMAC Mortgage Corporation and GMAC Mortgage Corporation's successors and assigns; and the undersigned, Shelle Wallace of Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Shelle Wallace of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **May 11, 2011** on or about **10:00 A.M.**, at the **Bridgestone Arena, Nashville, Tennessee**, offer for sale certain property hereinafter described to the highest bidder **FOR CASH**, free from the statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

A certain tract or parcel of land in Davidson County, Tennessee, described as follows: Being a tract of land lying on the east side of Higdon Road and being all of the property described in Book 5823, Page 881, Register's office; Davidson County Tennessee and further described according a mortgage loan inspection made by Campbell, Wolfee and Associates Surveying, Inc. License number 1838, dated May 17, 2000 as follows: Beginning at a point in the centerline of Higdon Road; said point being the southwest corner of the Jonathan D. West property of record in Book 9881, Page 131, Register's Office, Davidson County, Tennessee and the northwest corner of the herein described tract; thence leaving said road, South 87 degrees, 08 minutes East, 698.81 feet to a point; thence South 71 degrees, 41 minutes East, 179 feet to a point; thence North 09 degrees 42 minutes West, 430.00 feet to a point; thence North 75 degrees, 00 minutes East, 200.00 feet to a point; thence South 09 degrees, 57 minutes East, 471.00 feet to a point; thence South 74 degrees, 00 minutes West, 124.00 feet to a point; thence South 45 degrees, 00 minutes West, 97.00 feet to a point; thence South 09 degrees, 42 minutes East, 26.00 feet to a point; thence South 13 degrees, 00 minutes East, 143.00 feet Calc. to a point; thence North 86 degrees, 50 minutes West, 270.00 feet to a point in the Southeast corner of the Ralph Meadows property of record in Book 6825, Page 881, Register's Office, Davidson County, Tennessee; thence North 09 degrees, 00 minutes East 242.00 feet to a point; thence North 86 degrees, 59 minutes West, 692.27 feet to a point in the centerline of Higdon Road, thence along said centerline of said road, North 00 degrees, 18 minutes West, 80.00 feet to the point of beginning, together with the right of ingress and egress of a Joint Driveway called Cotton Patch Road of record in Book 7709, Page 613, Register's Office, Davidson County, Tennessee.

ALSO KNOWN AS: 5633 Higdon Road, Joelton, Tennessee 37080

The HB 3588 letter was 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; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights 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. In addition, the following parties may claim an interest in the above-referenced property: **Allen W. Ladd; Heirs of Allen W. Ladd, if any; Estate of Allen W. Ladd; Administrator of the Estate of Allen W. Ladd**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. **WBA No. 903-134228**

DATED April 11, 2011
WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee
By: Shelle Wallace

FOR SALE INFORMATION, VISIT WWW.NOTEE.COM and WWW.REALTYTRAC.COM

Apr. 15, 22, 29, 2011 Fgl12304

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:

April 15, 2011
April 22, 2011
April 29, 2011

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 29th day of **April 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

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