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PREPARED BY AND RETURN TO:
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Memphis, TN 38117
(901)767-5566
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Tennessee VA

Name: James H. Vaillancourt, and Helen F. Vaillancourt
S&K#: 11-025343

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 1, 2003, recorded in Instrument No. 20030409-0047076; corrected by Scrivener's Affidavit of record in Instrument Number 20120223-0015797, in the Register's Office of Davidson County, Tennessee, James H. Vaillancourt and Helen F. Vaillancourt, husband and wife conveyed to Title Enterprises, LLC, 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 20120618-0053120, 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 July 17, 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 $92,536.50, 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 Veterans Affairs, an Officer of the United States of America, 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 Veterans Affairs, an Officer of the United States of America, 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:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows to-wit:

Land in Davidson County, Tennessee, being Lot Number 89 on the Plan of Stacy Square, Section 3, as of record in Book 4175, Page 154, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description.

This conveyance is subject to Restrictive Covenants of record in Book 4467, Page 85; and all matters of record on plat in Plat Book 4175, Page 154, Register's Office for Davidson County.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20030409-0047076; corrected by Scrivener's Affidavit of record in Instrument Number 20120223-0015797, 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. 20030409-0047076; corrected by Scrivener's Affidavit of record in Instrument Number 20120223-0015797, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20000260106328, 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 Veterans Affairs, an Officer of the United States of America, 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 3rd day of August, 2012.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 03 day of August, 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, 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.

TAMARA SCAGGS
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
JANUARY 05, 2015

My commission expires: _____

_____
Notary Public

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

PROPERTY ADDRESS: 234 New Sawyer Brown Road, Nashville, Tennessee 37221

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Veterans Affairs
c/o Countrywide Home Loans
ATTN: VA/ REO
Mail Code: TX2-983-01-01
2375 North Glenville Drive, Bldg. B
Richardson, Texas 75082

S&K File #11-025343
Map & Parcel -128-10-0-062.00

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COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on July 17, 2012 at 10.00 AM local time, at the David son County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by James H Vaillancourt and Helen F. Vaillancourt, husband and wife, to Title Enterprises, LLC, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Franklin American Mortgage Company on April 1, 2003 at Instrument No. 20030409 0047070; corrected by Scrivener's Affidavit of record in Instrument Number 20120223-0015797; 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 cell bidder:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows to-wit:

Land in Davidson County, Tennessee, being Lot Number 68 on the Plan of Stacy Square, Section 3, as of record in Book 4175, Page 154, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description.

This conveyance is subject to Restrictive Covenants of record in Book 4467, Page 65; and all matters of record on plat in Plat Book 4175, Page 154, Register's Office for Davidson County.

Street Address: 234 New Sawyer Brown Road, Nashville, Tennessee 37221

Parcel Number: 128-10-0-062.00

Current Owner(s) of Property: James H. Vaillancourt and Helen F. Vaillancourt, husband and wife

The street address of the above described property is believed to be 234 New Sawyer Brown Road, Nashville, Tennessee 37221, 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 future 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 future 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
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File No. 11-025343
June 22, 29, July 6, 2012 FN15117

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:

June 22, 2012
June 29, 2012
July 6, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 6th day of July 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