BILL GARRETT, Davidson County
Trans:T20120059908 DEEDTRS
Recvd: 08/13/12 10:22 3 pgs
Fees:18.00 Taxes:548.81

20120813-0072076

Prepared by and Return to:
Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC
119 S. Main Street, Suite 500
Memphis, TN 38103
BAC-09-06636

ADDRESSES NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBER:
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CWMBS REFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2005-R2	THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CWMBS REFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2005-R2	075 09 0 010.00
7105 Corporate Drive PTX-A-274 Plano, TX 75024	7105 Corporate Drive PTX-A-274 Plano, TX 75024	

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by that certain Deed of Trust dated December 12, 2003 and recorded January 12, 2004, at **Instrument Number 20040112-0004813 (as modified by judicial order recorded at Instrument number 20110509-0035549)**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **DANIEL BESHEARS** ("Borrower"), conveyed to ARNOLD M. WEISS, ATTORNEY, Trustee, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on December 12, 2003, (the "Note"), which obligation is presently held and owned by **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CWMBS REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2005-R2** ; and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, Lender, the owner and holder of the Note evidenced by the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC, was duly appointed as Substitute Trustee in the place and stead of ARNOLD M. WEISS, ATTORNEY, said appointment being set forth in **Instrument Number 20110712-0053158** in said Register's Office; and

WHEREAS, a Notice of the Right to Foreclose, if required pursuant to T.C.A. § 35-5-117, was given at least sixty (60) days prior to the first publication in accordance with Tennessee law; and

WHEREAS, the Substitute Trustee caused a diligent search of the Defense Manpower Data Center (DMDC) website for each known Borrower in compliance with the Service Members Civil Relief Act, and as such the foreclosure of this property is not subject to the provisions of 50 U.S.C. § 501, et seq.; and

WHEREAS, the Substitute Trustee caused a diligent search of the PACER website for each known Borrower and determined that Substitute Trustee was not subject to an automatic stay in bankruptcy both at the time foreclosure proceedings commenced and the time the Property was sold; and

WHEREAS, the Substitute Trustee caused notice to be published as provided for under T.C.A. §35-5-104 and as provided in the Deed of Trust and Note in the The Tennessee Tribune that the Property would be sold on July 26, 2012, at 11:00 AM at the door of the Davidson County Courthouse, Nashville Tennessee, such advertisement appearing in said newspaper on June 28, 2012, July 5, 2012, July 12, 2012, a copy of such notice was sent to the parties required under T.C.A. § 35-5-101(e) prior to the first publication date written above, and following such notice the default was not cured; and

WHEREAS, the Substitute Trustee at the time, place and date specified in said notices appeared and offered the property for sale, and after opening the floor for competitive bids, sold said Property to THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CWMBS REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2005-R2 at the price of **One Hundred Forty-Eight Thousand Three Hundred Twenty-Six and 07/100 ($148,326.07)** this being the highest, last and best bid.

NOW, THEREFORE, Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC, Substitute Trustee as aforesaid, in consideration of the premises and the sum of **One Hundred Forty-Eight Thousand Three Hundred Twenty-Six and 07/100 ($148,326.07)** to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CWMBS REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2005-R2** ("Grantee"), its successors and assigns, all of its right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 584 ON THE PLAT OF HERMITAGE HILLS, SECTION 6, OF RECORD IN BOOK 3300, PAGE 10, REGISTER`S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY MARGIN OF BONNACREST DRIVE AT THE COMMON FRONT CORNER OF LOTS 584 AND 585, THENCE WITH THE LINE BETWEEN SAID TWO LOTS SOUTHERLY 128.0 FEET TO A POINT, SAID POINT BEING THE COMMON REAR CORNER OF LOTS 584 AND 585; THENCE WITH THE LINE BETWEEN LOTS WESTERLY 104.68 FEET TO A POINT IN THE EASTERLY MARGIN OF BONNAHURST DRIVE; THENCE WITH THE MARGIN OF THE SAME NORTHERLY 95.52 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET; THENCE AROUND SAID CURVE 37.78 FEET TO A POINT IN THE SOUTHERLY MARGIN OF BONNACREST DRIVE; THENCE WITH THE MARGIN OF THE SAME EASTERLY 104.4 FEET TO THE POINT OF BEGINNING.

Being the same property conveyed to DANIEL BESHEARS, herein by Deed of record in 20040112-0004812, in the Register's Office for Davidson County, Tennessee.

This property is now or was formerly known as 7000 BONNACREST DRIVE, HERMITAGE, TN 37076.

To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to **(1)** any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; **(2)** any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; **(3)** any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; **(4)** applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register`s Office of Davidson County, Tennessee; **(5)** any governmental zoning and subdivision ordinances or regulations in effect thereon; **(6)** the accuracy of the Index Book of the said Register`s Office; and **(7)** any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee this ___ day of AUG 6 2012, 20___.

Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC

Printed Name: ~~LISA F. CAPLAN~~
Title: Member

STATE OF GEORGIA)
COUNTY OF GWINNETT)

Before me, Jessica Cruell, of the state and county aforesaid, personally appeared, LISA F. CAPLAN, of Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be a Member of Rubin Lublin TN, PLLC F/K/A Rubin Lublin Suarez Serrano TN, LLC, a Limited Liability Company, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the Limited Liability Company by himself/herself as such officer.

WITNESS my hand and seal at office in NORCROSS GEORGIA, this ___ day of AUG 6 2012, 20___.

Notary Public

JESSICA CRUELL NOTARY PUBLIC GWINNETT COUNTY GEORGIA EXPIRES April 28, 2016

My commission expires:

APR 2 8 2016

STATE OF GEORGIA)
COUNTY OF GWINNETT)

The actual consideration or value, whichever is greater, for this transfer is $148,326.07.

Affiant

Sworn to and subscribed before me this ___ day of AUG 6 2012, 20___.

Notary Public

My commission expires:

APR 2 8 2016

JESSICA CRUELL NOTARY PUBLIC GWINNETT COUNTY GEORGIA EXPIRES April 28, 2016