PREPARED BY AND RETURN TO:
Kelly Lipford
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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BILL GARRETT, Davidson County
Trans:T20120063024 DEEDTRS
Recvd: 08/23/12 09:21 3 pgs
Fees:18.00 Taxes:721.50
20120823-0075784

Name: Ernest Brachey
S&K#: 12-031214

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 26, 2007, recorded in Instrument No. 20070130-0012316; modified at Instrument No. 20081205-0117826, in the Register's Office of Davidson County, Tennessee, Ernest Brachey and Cheryl Brachey conveyed to First Title/Davidson, 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, Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc. appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20120531-0047182, 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, Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc. 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 Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., 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 10, 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 Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., whose address is Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., 601 NW Second Street, Evansville, Indiana 47708, at and for the sum of $195,000.00, 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 Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc. 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 Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., 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, to wit:

Lot Number 26 on the Plan of Berry Hill Subdivision, as of record in Book 3300, Page 20, Register's Office for said County.

Said Lot fronts 67 feet on the Westerly side of Berry Hill Drive and runs back 251.9 feet on the South line and 251.3 feet on the North line to a dead line in the rear on which it measures 77.5 feet.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20070130-0012316; modified at Instrument No. 20081205-0117826, 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. 20070130-0012316; modified at Instrument No. 20081205-0117826, in the Register's Office of Davidson County, Tennessee.



The last deed of record is Warranty Deed Instrument Number 20060308-0026802, 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 Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., 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 13th day of August, 2012.

Shapiro & Kirsch, LLP

By: Ashley M Jones

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 13th day of AUGUST, 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, 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.

MEGAN HANNA
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

Notary Public

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 $195,000.00, 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.

MEGAN HANNA
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

Notary Public

PROPERTY ADDRESS: 2917 Berry Hill Drive, Nashville, Tennessee 37204

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc.
601 NW Second Street
Evansville, Indiana 47708

S&K File #12-031214
Map & Parcel -11811000100

PREPARED BY AND RETURN TO:
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COST OF PUBLICATION

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

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **July 10, 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 Ernest Brachey and Cheryl Brachey, to First Title/Davidson, Trustee, on January 26, 2007 at Instrument No. 20070130-0012316; modified at Instrument No. 20081205-0117826; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc.

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

Described property located in Davidson County, Tennessee, to wit:

Lot Number 26 on the Plan of Berry Hill Subdivision, as of record in Book 3300, Page 20, Register's Office for said County.

Said Lot fronts 67 feet on the Westerly side of Berry Hill Drive and runs back 251.9 feet on the South line and 251.3 feet on the North line to a dead line in the rear on which it measures 77.5 feet.

Street Address: 2917 Berry Hill Drive, Nashville, Tennessee 37204

Parcel Number: 11811000100

Current Owner(s) of Property: Ernest Brachey and Cheryl Brachey, husband and wife

The street address of the above described property is believed to be 2917 Berry Hill Drive, Nashville, Tennessee 37204, 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
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555 Perkins Road Extended, Second Floor
Memphis, TN 38117
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File No. 12-031214
June 15, 22, 29, 2012 Fhl15104

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 15, 2012
June 22, 2012
June 29, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **29th** day of **June 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