BILL GARRETT, Davidson County
Trans:T20120063038 DEEDTRS
Recvd: 08/23/12 09:34 10 pgs
Fees:53.00 Taxes:597.76

20120823-0075794

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-08-02008

ADDRESSES NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBER:
BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP	**BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP**	**02400004400**
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 September 23, 2003 and recorded September 24, 2003, at **Instrument Number 20030924-0141697**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **Georgina Rodriquez and Jose Rodriquez** ("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 September 23, 2003, (the "Note"), which obligation is presently held and owned by **BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP**; 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 20101027-0085858** 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 Tennessee Tribune that the Property would be sold on May 29, 2012, at 11:00 AM at the door of the Davidson County Courthouse, Nashville Tennessee, such advertisement appearing in said newspaper on May 3, 2012, May 10, 2012, May 17, 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 BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP at the price of **One Hundred Sixty-One Thousand Five Hundred Fifty-Seven and 86/100 ($161,557.86)** 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 Sixty-One Thousand Five Hundred Fifty-Seven and 86/100 ($161,557.86)** to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP** ("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:

A TRACT OF LAND IN THE 10TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, AND DESCRIBED ACCORDING TO SURVEYS MADE BY GEO. WATKINS, SURVEYOR, DATED JULY 31, 1957, AND BY ARBO ENGINEERING CO., DATED APRIL 3, 1965, AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF CAMPBELL ROAD, SAID POINT BEING THE NORTHWESTERLY CORNER OF THE PROPERTY CONVEYED TO BERNICE L. MARTIN BY DEED FROM MUNCIE MARTIN AND WIFE, OF RECORD IN BOOK 2695, PAGE 139, REGISTER`S OFFICE FOR SAID COUNTY; THENCE LEAVING SAID ROAD NORTH 60 DEGREES EAST, PASSING THROUGH A 5-INCH SYCAMORE AND CROSSING A DRAIN, 708 FEET TO AN IRON PIN; THENCE WITH A FENCE, SOUTH 12 DEGREES EAST 267.4 FEET TO AN IRON PIN; THENCE SOUTH 60 DEGREES WEST, RE-CROSSING SAID DRAIN, 622.1 FEET TO A POINT IN THE CENTER OF SAID CAMPBELL ROAD; THENCE WITH THE CENTER OF SAID ROAD, NORTH 30 DEGREES WEST 249 FEET TO THE POINT OF BEGINNING, CONTAINING 3.81 ACRES, MORE OR LESS.

ATTACHED HERETO AND CONVEYED HEREWITH IS A 1983 CLAYTON MANUFACTURED HOME BEARING SERIAL/VIN# CL7378TN, WHICH IS PERMANENTLY AFFIXED TO THE SUBJECT PROPERTY PURSUANT TO AFFIDAVIT OF AFFIXATION OF RECORD AT INSTRUMENT NO. 20090507-0041999, IN THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

Being the same property conveyed to Georgina Rodriquez and Jose Rodriquez, herein by Deed of record in Instrument No. 20030924-0141696, and re-recorded in Instrument No. 20031230-0184046 in the Register's Office for Davidson County, Tennessee.

This property is now or was formerly known as 1526 Campbell Road, Goodlettsville, TN 37072.

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; **(7)** any right of redemption as provided for in 26 U.S.C. § 7425(d), which the Internal Revenue Service may have with respect to the Federal tax lien attached hereto, taking into account the fact that the Internal Revenue Service has been notified of the foreclosure sale pursuant to 26 U.S.C. § 7425(c); and **(8)** any right of redemption as provided for in T.C.A. § 67-1-1433(c)(1), which the State of Tennessee may have with respect to the State tax lien attached hereto, taking into account the fact that the State of Tennessee has been notified of the foreclosure sale pursuant to T.C.A. § 67-1-1433(b)(1); and **(9)** 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 on this 21st day of August, 2012.

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

Printed Name: Glen D. Rubin
Title: Member

STATE OF GEORGIA)
COUNTY OF GWINNETT)

Before me, Jessica Cruell, of the state and county aforesaid, personally appeared Glen D Rubin, 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 21st day of August, 2012.

Notary Public

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

My commission expires:

STATE OF GEORGIA)
COUNTY OF GWINNETT)

The actual consideration or value, whichever is greater, for this transfer is $161,557.86.

Affiant

Sworn to and subscribed
before me this 21st day of August, 2012.

Notary Public

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

My commission expires:

EXHIBIT
tabbies
A

RUBIN LUBLIN SUAREZ SERRANO TN, PLLC

ATTORNEYS AND COUNSELORS AT LAW
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (877) 813-0992
FAX (404) 601-5846

May 3, 2012

VIA FEDEX

Internal Revenue Service (TN)
C/O Ellen Dolby
801 Broadway
MDP53
Nashville, TN 37203-3804

Re: Notice of Federal Tax Lien/Consent to Sell

Case Number:	**BAC-08-02008-0005**
Name Per Client:	**Georgina Rodriquez and Jose Rodriquez**
SSN:	**XXX-XX-5386, XXX-XX-XXXX**
Property Address:	**1526 Campbell Road, Goodlettsville, TN 37072**

Dear Sir or Madam:

I am writing to advise you that Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on May 29, 2012. Enclosed is a copy of the Notice of Substitute Trustee's Sale which is being published in the Davidson County legal newspaper. The recording information for the Security Deed and subsequent assignments, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required by law, we have attached a copy of the specific federal tax lien(s) found. We are not certain but believe that the parties named in the federal tax lien are the same as the above-referenced borrowers' Social Security Numbers, ending in Georgina Rodriquez – XXX-XX-5386 and Jose Rodriquez – XXX-XX-XXXX, or other predecessors in title.

The unpaid principal balance of the loan against the above-referenced property is approximately $109,874.60. Interest through the sale date is approximately $1130.31. Costs associated with the sale should be approximately $590.00 and the attorney fees will range from $500.00 to the maximum allowable by Tennessee law.

If you should have any questions about this matter, please do not hesitate to contact this office at (877) 813-0992.

Sincerely,

RUBIN LUBLIN SUAREZ SERRANO TN, PLLC

By:_____
Foreclosure Counsel

Enclosures
1. Notice of Substitute Trustee's Sale
2. Copies of Federal Tax Liens

cc: BAC

4711

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
331203506

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Davidson County LIENFTL
Recvd: 12/12/06 10:52 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20061212-0153139

Name of Taxpayer JOSE ANTONIO RODRIQUEZ

Residence 928 GALLATIN RD
MADISON, TN 37115-4609

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2001	[redacted]-7016	03/21/2005	04/20/2015	79556.90
1040	12/31/2002	[redacted]-7016	03/21/2005	04/20/2015	35687.02

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 115243.92

This notice was prepared and signed at DALLAS, TX, on this,

the 29th day of November, 2006.

Signature K. A. Mitchell
for THERESA HARLEY

Title
ACS
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form **668(Y)(c)** (Rev. 2-2004)
CAT. NO 60025X

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EXHIBIT
tabbies
B

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

May 10, 2012

Rubin, Lublin, Suarez, Serrano, LLC
119 S. main Street, Suite 500
Memphis, TN 38103

Re: Foreclosure Sale of Property Owned by: **Jose L Rodriquez**
Entity Number: **002 XXX-XX-7278/000**
File # BAC-08-02008-0005

This is in reference to your letter dated May 3, 3012 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **May 29, 2012** is **$1,536.86**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Lien Desk 1, Account Technician I
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*

RUBIN LUBLIN SUAREZ SERRANO TN, PLLC

ATTORNEYS AND COUNSELERS AT LAW
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (877) 813-0992
FAX (404) 601-5846

May 3, 2012

VIA FEDEX

Tennessee Department of Revenue
Andrew Jackson Building
500 Deaderick Street
Nashville, TN 37242

Re: Notice of State Tax Lien/Consent to Sell

Case Number:	**BAC-08-02008-0005**
Name Per Client:	**Georgina Rodriquez and Jose Rodriquez**
SSN:	**XXX-XX-5386, XXX-XX-XXXX**
Property Address:	**1526 Campbell Road, Goodlettsville, TN 37072**

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If you should have any questions about this matter, please do not hesitate to contact this office at (877) 813-0992.

Sincerely,

RUBIN LUBLIN SUAREZ SERRANO TN, PLLC

By: _____
Foreclosure Counsel

Enclosures

1. 1.Notice of Substitute Trustee's Sale
2. Copies of State Tax Liens

cc: BAC

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:

JOSE L RODRIQUEZ

D/B/A: RODRIQUEZ AUTO MACHANIC
324 ALICE AVE
NASHVILLE TN 37211-4813

ENTITY ID:

002 995-74-7228/000

002 995-74-7228

COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on April 25, 2009.

COMMISSIONER OF REVENUE

By: William E. Hobbs
Delegate of Commissioner

FOR REGISTER USE ONLY .... PRINT OR STAMP

BOOK NO	**PAGE NO.**	**DATE**	**TIME**

REGISTER

BILL GARRETT, Davidson County
Trans:T20090028238 LIENSTL
Recvd: 04/30/09 08:25 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20090430-0039118

BY:_____

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PV-N0007501