PREPARED BY AND RETURN TO:
Lori Wilson
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
Fax (901)761-5690

BILL GARRETT, Davidson County
Trans:T20120065090 DEEDTRS
Recvd: 08/30/12 10:29 3 pgs
Fees:18.00 Taxes:423.42
20120830-0078400

Name: Willie Jones
S&K#: 12-034236

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 25, 2008, recorded in Instrument No. 20080411-0036972, in the Register's Office of Davidson County, Tennessee, Willie Jones conveyed to Lenders First Choice, TN, 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, OneWest Bank, FSB appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20120611-0050780, 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, OneWest Bank, FSB 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 OneWest Bank, FSB, 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 24, 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 OneWest Bank, FSB, whose address is OneWest Bank, FSB (d/b/a Financial Freedom, a division of OneWest Bank, FSB), 1 Banting, Irvine, California 92618, at and for the sum of $114,437.50, 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 OneWest Bank, FSB 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 OneWest Bank, FSB, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: TO-WIT:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 13 ON THE PLAN OF HOLIDAY HILLS, AS OF RECORD IN BOOK 3600, PAGE 28, REGISTER'S OFFICE FOR SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHWESTERLY MARGIN OF HOLIDAY DRIVE, AT THE CORNER OF LOTS NOS. 12 AND 13;

THENCE WITH THE LINE, BETWEEN SAID TWO LOTS, SOUTH 36 DEGREES 47 MINUTES WEST 279.7 FEET;

THENCE NORTH 4 DEGREES 02 MINUTES WEST 32 FEET;

THENCE NORTH 13 DEGREES 41 MINUTES WEST 149.3 FEET;

THENCE NORTH 2 DEGREES 57 MINUTES EAST 262.90 FEET TO THE SOUTHWESTERLY MARGIN OF HOLIDAY DRIVE;

THENCE WITH THE SAME, SOUTHEASTERLY 293.2 FEET TO THE BEGINNING.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20080411-0036972, 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. 20080411-0036972, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Book 7781, Page 716, 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 OneWest Bank, FSB, 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 16th day of August, 2012.

Shapiro & Kirsch, LLP

By: Ashley M. Jones

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 16th 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 $114,437.50, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Ashley M. Jones
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: 204 Holiday Drive, Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
OneWest Bank, FSB
1 Banting
Irvine, California 92618

S&K File #12-034236
Map & Parcel -04214011000

PREPARED BY AND RETURN TO:
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Shapiro & Kirsch, LLP
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0101564952

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on July 24, 2012 at 10:00AM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Willie Jones, to Lenders First Choice, TN, Trustee, on January 25, 2008 at Instrument No. 20080411-0036972; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: OneWest Bank, FSB

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

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: TO-WIT:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 13 ON THE PLAN OF HOLIDAY HILLS, AS OF RECORD IN BOOK 3600, PAGE 28, REGISTER'S OFFICE FOR SAID COUNTY DESCRIBED AS FOLLOWS:

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THENCE WITH THE SAME, SOUTHEASTERLY 293.2 FEET TO THE BEGINNING.

Street Address: 204 Holiday Drive, Madison, Tennessee 37115

Parcel Number: 04214011000

Current Owner(s) of Property: Willie Jones

Other interested parties: The Secretary of Housing and Urban Development and LVNV Funding LLC as assignee of Sears c/o Nathan & Nathan, Attorneys

The street address of the above described property is believed to be 204 Holiday Drive, Madison, Tennessee 37115, 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.

SALE IS SUBJECT TO ONE YEAR RIGHT OF REDEMPTION HELD BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT BY REASON OF THE DEED OF TRUST OF RECORD AS INSTRUMENT NO. 20080411-0036973, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

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

Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690
File No. 12-034236

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