BILL GARRETT, Davidson County
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PREPARED BY AND RETURN TO:
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**Tennessee FHA**

**Name: Donald L. Cozart Jr., and Kimberly A. Cozart**

**S&K#: 11-015427**
**FHA #: 483-3192851**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated November 22, 2002, recorded in Instrument Number 20021206-0150647 in the Register's Office of Davidson County, Tennessee, Donald L. Cozart, Jr. conveyed to M. Todd Jackson, 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, US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3 appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20120120-0005625 and corrected in Instrument Number 20120417-0032749, 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, US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3 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 Foreclose 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 US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of sale Deed of Trust by which advertisement the sale was appointed to be held on March 22, 2012 at 10:00AM at which time it was announced the sale adjournment to be held on April 24, 2012, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 10:00AM; 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 US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3, 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 $227,233.58, that being the highest and best bid offered; and,

WHEREAS, the said US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3 has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., 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 US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3 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 Housing and Urban Development, Washington, D.C. his 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 121 on the Plan of Highlands of Brentwood, Phase One, (Formerly Brentwood Highlands) of record in Book 9700, Page 773 and as Revised in Book 9700, page 857, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description.

This legal description is identical with that in Deed of Trust recorded in Instrument Number 20021206-0150647 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 Number 20021206-0150647 in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200010250105967, 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.

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 Housing and Urban Development, Washington, D.C. his 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 him, as such Substitute Trustee, but not further or otherwise.

IN WITNESS WHEREOF, the said Shapiro & Kirsch, LLP, Substitute Trustee, has hereunto set his hand and seal on the date written below.

Shapiro & Kirsch, LLP

Ashley M. Jones, Authorized Agent

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 15 day of Oct, 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, upon oath acknowledged to be Authorized Agent 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.

My commission expires:

Notary Public

TRACY L. SHARP
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
My Commission Expires 11/02/2013

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

**PROPERTY ADDRESS:** 23 Wynfield Court, Nashville, Tennessee 37211

**PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

**S & K File #11-015427**
**Map & Parcel -172040A03700CO**

**PREPARED BY AND RETURN TO:**
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## SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **March 22, 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 Donald L. Cozart, Jr., joined herein pro forma by his wife, Kimberly A. Cozart, to M. Todd Jackson, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Franklin American Mortgage Company on November 22, 2002 at Instrument No. 20021206-0150647; 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: US Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2005-RF3

The following real estate located in Davidson County, Tennessee, will be sold to the highest call bidder:

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

Lot Number 121 on the Plan of Highlands of Brentwood, Phase One, (Formerly Brentwood Highlands) of record in Book 9700, Page 773 and as Revised in Book 9700, page 857, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description.

Street Address: 23 Wynfield Court, Nashville, Tennessee 37211

Parcel Number: 172040A03700CO

Current Owner(s) of Property: Donald L. Cozart, Jr., married

Other interested parties: Unifund CCR Assignee of Providian, Highlands of Brentwood Homeowners Association, Inc., Ronald R. Gilmer, MD, Citibank South Dakota, N.A., and Highlands of Brentwood c/o Jennifer McCoy, Atty.

The street address of the above described property is believed to be 23 Wynfield Court, Nashville, Tennessee 37211, 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 fixture 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 fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: Unifund CCR Assignee of Providian, Ronald R. Gilmer, MD, Highlands of Brentwood Homeowners Association, Inc., Citibank South Dakota, N.A., and Highlands of Brentwood c/o Jennifer McCoy, Atty.

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.

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File No. 11-015427

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