BILL GARRETT, Davidson County
Trans:T20120079523 DEEDTRS
Recvd: 10/19/12 09:07 3 pgs
Fees:17.00 Taxes:0.00
20121019-0095930

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

Name: Daphne D. Hayes

S&K#: 11-026359

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 31, 2003, recorded in Instrument No. 20030805-0110547, in the Register's Office of Davidson County, Tennessee, Daphne D. Hayes, a married woman conveyed to Emmett James House and Bill R. McLaughlin, 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, EverBank appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 20111114-0088506, 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, EverBank 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 EverBank, 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 January 27, 2012 at 10:00 AM, at which time it was announced the sale adjournment to be held on March 27, 2012 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on April 27, 2012 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on May 30, 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 EverBank, whose address is EverBank, 8100 Nations Way, Jacksonville, Florida 32256, at and for the sum of $158,398.72, 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 EverBank 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 EverBank, his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to wit:

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

Being Lot No. 405 on the Plan of the Country Section Nine of record in Plat Book 6900, Page 285, Register's Office for said County, Tennessee, to which reference is hereby made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20030805-0110547, 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. 20030805-0110547, in the Register's Office of Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20030805-0110547, 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. 20030805-0110547, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200308050110546, 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 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 15th day of October, 2012.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

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 Long, with whom I am personally acquainted, and who, upon oath 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.

_____
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: 3505 Shakertown Road, Antioch, Tennessee 37013

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 #11-026359
Map & Parcel -15003035100

PREPARED BY AND RETURN TO:
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COST OF PUBLICATION

First Insertion	**$200.00**
Second Insertion	**200.00**
Third Insertion	**200.00**
Total	**$600.00**

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on January 27, 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 Daphne D. Hayes, a married woman, to Emmett James Hood and Bill R. McLaughlin, Trustee, on July 31, 2003 at Instrument No. 20030805-0110647; conducted by Shapiro & Kirsch, LLP Substitute Trustee, all of record in the Davidson County Register's Office.

Owner of Debt: EverBank

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:

Being Lot No. 405 on the Plan of the Country Section Nine of record in Plat Book 6900, Page 235, Register's Office for said County, Tennessee, to which reference is hereby made for a more complete description.

Street Address: 3306 Shelbertown Road, Antioch, Tennessee 37013

Parcel Number: 150030036100

Current Owner(s) of Property: Daphne D. Hayes, married

The street address of the above described property is believed to be 3306 Shelbertown Road, Antioch, Tennessee 37013, 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
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File No. 11-026359
Dec. 30, 2011 Jan. 6, 13, 2012 Pg13926

PROOF OF PUBLICATION

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER, the Publisher of Westview, a weekly newspaper of general circulation, printed in the State of Tennessee and distributed throughout Davidson, Williamson, Cheatham and Dixon County in Tennessee, states that the hereto attached publication appeared in The Westview on the following dates:

December 30, 2011
January 6, 2012
January 13, 2012

THE WESTVIEW NEWSPAPER, LLC

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 13th day of **January 2012**, this instrument was signed and sealed in behalf of the corporation (or association), by authority of its Board of Directors and **Catron J. 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/FPS