BILL GARRETT, Davidson County
Trans:T20120089440 DEEDTRS
Recvd: 11/26/12 08:48 3 pgs
Fees:18.00 Taxes:881.16
20121126-0107781

RETURN TO:
THIS INSTRUMENT PREPARED BY:
Weiss Spicer Cash, PLLC
Attorneys at Law
208 Adams Avenue
Memphis, Tennessee 38103-1991
901-526-8296

Tennessee
Map # 172-130A04400CO

Janice Threalkill
WELLS FARGO: 0043933696

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 8, 2006, and recorded in Register's Instrument No. 20060914-0113820 in the Register's Office of Davidson County, Tennessee, Janice Threalkill, an unmarried woman, conveyed to J. Franklin McCreary, Trustee(s), 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, the holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in REGISTER'S INSTRUMENT NO. 20120514-0041463 in the Register's Office of said County; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, 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 May 29, 2012 at which time said sale was postponed and held on November 13, 2012, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Bridgestone Center of Davidson County, Tennessee; 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 sale WELLS FARGO BANK, N.A., a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of TWO HUNDRED THIRTY EIGHT THOUSAND ONE HUNDRED FIFTY ONE AND NO/100'S DOLLARS; 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 WELLS FARGO BANK, N.A. of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said WELLS FARGO BANK, N.A., its successors and assigns in fee simple forever, the property above mentioned and now further described as being in Brentwood, County of Davidson, State of Tennessee, to-wit:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 113, ON THE PLAN OF WILLIAMS GROVE, SECTION ONE, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 9700, PAGE 580, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

Janice A. Sawyers, her heirs and assigns, obtained title to the above referenced real estate by Deed of record in Instrument Number 20030908-0130675, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

Notice of the Right to Foreclose has been given in compliance with T.C.A. § 35-5-117.

**Proper notice of this sale has been made to the Internal Revenue Service and this sale is made subject to the redemption rights of the Internal Revenue Service.**

If the original Trustee's sale date was postponed in accordance with TCA 35-5-101(f), all announcements and notifications were made as required therein.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto WELLS FARGO BANK, N.A., its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, 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.

The said Substitute Trustee has applied the consideration as follows:

| | |
|---|---|
| RECORDING APPOINTMENT OF SUBSTITUTE TRUSTEE | 12.00 |
| PUBLICATION EXPENSE | 371.50 |
| ATTORNEY'S FEES AND TRUSTEES FEES | 550.00 |
| CREDIT ON NOTE | 237,217.50 |
| | $238,151.00 |

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on November 13, 2012 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On November 13, 2012 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

NOTARY PUBLIC

KATHY S. RUFFIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
216 Newton Nook,
Brentwood, TN 37027

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Wells Fargo Bank, N.A.
4101 Wiseman Blvd
San Antonio, TX 78251

My Commission Expires April 20, 2014

Mortgagee: None

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS **$238,151.00**
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, November 13, 2012
NOTARY PUBLIC
MY COMMISSION EXPIRES

KATHY S. RUFFIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

My Commission Expires April 20, 2014

# WEISS SPICER CASH, PLLC

ATTORNEYS AT LAW

ARNOLD M. WEISS
VALERIE ANN SPICER
ELIZABETH ANN CASH

TELEPHONE: 901-526-8296
FACSIMILE: 901-526-3061
WEB: WWW.WEISS-SPICER.COM

208 ADAMS AVENUE
MEMPHIS, TN 38103-1991


April 24, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
District Director of the Internal Revenue Service
801 Broadway MDP53
Nashville, TN 37203
ATTN: Chief, Special Procedures Staff

Re: Serial #671322410; 776097211; 829877811
Janice Threalkill
216 Newton Nook
Brentwood, TN 37027
Loan #0043933696

Dear Sir:

We represent Wells Fargo Home Mortgage the owner and holder of a first deed of trust covering the property municipally described in the above caption. A xerox copy of the instrument which, as you will notice, is of record in Register's Instrument No. 20060914-0113820, Davidson County Register's Office, is enclosed. The indebtedness secured by the deed of trust is in default and, accordingly, consistent with the terms and conditions of the instrument, the principal balance and interest due have been accelerated and the foreclosure sale is scheduled for Tuesday, May 29, 2012 at 12:00 PM at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Bridgestone Center, Nashville, Davidson County, Tennessee, at which time the property will be sold at the public outcry to the highest and best bidder for cash. The principal balance of our client's debt is $333,686.59, plus interest at the rate of 5.43% per annum from October 15, 2011, and the foreclosure fees and expenses incurred.

Xerox copies of your forms 668 of record at Instrument Nos. 20100702-0052143; 20110425-0031131; 20111121-0091026, Register's Office of Davidson County, Tennessee, is enclosed.

Yours very truly,

Arnold M. Weiss

ARNOLD M. WEISS

AMW:jc
Enclosures