BILL GARRETT, Davidson County
Trans:T20120093621 DEEDTRS
Recvd: 12/07/12 09:03 7 pgs
Fees:38.00 Taxes:699.30
20121207-0112798

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-09-35536

ADDRESSES NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBER:
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-26	**THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-26**	**155 030OB 029.00**
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 November 30, 2006 and recorded December 5, 2006, at **Instrument Number 20061205-0150343**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **Michael E. Smith and Melody Smith** ("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 November 30, 2006, (the "Note"), which obligation is presently held and owned by **The Bank Of New York Mellon fka The Bank Of New York, As Trustee, For CWABS, Inc., Asset-Backed Certificates, Series 2006-26**; 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 20120104-0000655** 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 November 8, 2012, at 11:00 AM at the door of the Davidson County Courthouse, Nashville Tennessee, such advertisement appearing in said newspaper on October 11, 2012, October 18, 2012, October 25, 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 The Bank Of New York Mellon fka The Bank Of New York, As Trustee, For CWABS, Inc., Asset-Backed

Certificates, Series 2006-26 at the price of **One Hundred Eighty-Nine Thousand and 00/100 ($189,000.00)** 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 Eighty-Nine Thousand and 00/100 ($189,000.00)** to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-26** ("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:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 29 ON THE PLAN OF RIVER PARK ESTATES, AS OF RECORD IN BOOK 6250, PAGE 658, REGISTER`S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, CORRECTED IN BOOK 6785, PAGE 427 AND BOOK 6830, PAGE 806, SAID REGISTER`S OFFICE TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

Being the same property conveyed to Michael E. Smith and Melody Smith, herein by Deed of record in Instrument Number 20061205-0150342, in the Register's Office for Davidson County, Tennessee.

This property is now or was formerly known as 7212 River Junction Drive, Nashville, TN 37221.

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 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 ___ day of NOV 26 2012, 20___.

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

Printed Name: LISA F. CAPLAN
Title: Member

STATE OF GEORGIA)
COUNTY OF GWINNETT)

Before me, Jessica Cruell, of the state and county aforesaid, personally appeared, LISA F. CAPLAN, 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 ___ day of NOV 26 2012, 20___.

Notary Public

JESSICA CRUELL NOTARY PUBLIC GWINNETT COUNTY GEORGIA My Commission 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 $189,000.00.

Affiant

Sworn to and subscribed before me this ___ day of NOV 26 2012, 20___.

Notary Public

My commission expires:

JESSICA CRUELL NOTARY PUBLIC GWINNETT COUNTY GEORGIA My Commission Expires April 28, 2016



RUBIN LUBLIN TN, PLLC

Attorneys and Counselors at Law
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (877) 813-0992
FAX (404) 601-5846

October 11, 2012

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

2012 OCT 12 PM 1:19

Re: Notice of Federal Tax Lien/Consent to Sell

File Number	**09-35536**
Lender's Loan No.	**XXXXX2348**
Name Per Client:	**Michael E. Smith and Melody Smith**
SSN:	**XXX-XX-3282, XXX-XX-3397**
Property Address:	**7212 River Junction Drive, Nashville, TN 37221**

Dear Sir or Madam:

Please file stamp one of the copies of the Notice of Federal Tax Lien and return to my office in the envelope provided. Our office will need a file stamped copy of the notice showing receipt of the document by the Internal Revenue Service.

Sincerely,

RUBIN LUBLIN TN, PLLC

By: _____
Foreclosure Counsel

Enclosures

RUBIN LUBLIN TN, PLLC

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

October 11, 2012

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-09-35536-0004**
Name Per Client:	**Michael E. Smith and Melody Smith**
SSN:	**XXX-XX-3282, XXX-XX-3397**
Property Address:	**7212 River Junction Drive, Nashville, TN 37221**

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 November 8, 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 Melody Smith XXX-XX-3282 and Michael E. Smith XXX-XX-3397, or other predecessors in title.

The unpaid principal balance of the loan against the above-referenced property is approximately $187,119.70. Interest through the sale date is approximately $500.00. 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 TN, PLLC

By: _____
Foreclosure Counsel

Enclosures

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

cc: BAC

3592

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) 913-6050

Serial Number
720450510

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.

BILL GARRETT, Davidson County
Trans:T20100073744 LIENFTL
Recvd: 11/22/10 09:22 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20101122-0093039

Name of Taxpayer MICHAEL & MELODY SMITH

Residence 7212 RIVER JUNCTION DR
NASHVILLE, TN 37221-4603

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	12/31/2003	XXX-XX-3397	06/02/2008	07/02/2018	29719.88
1040	12/31/2006	XXX-XX-3397	05/21/2007	06/20/2017	7066.36
1040	12/31/2008	XXX-XX-3397	07/27/2009	08/26/2019	3957.96
1040	12/31/2009	XXX-XX-3397	04/12/2010	05/12/2020	1358.96
				Total	$ 42103.16

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

This notice was prepared and signed at NASHVILLE, TN, on this,

the 10th day of November, 2010.

Signature
for MELVENIA COBB

Title
BANKRUPTCY SPEC
(615) 250-5020

25-98-6711

(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 60026X