BILL GARRETT, Davidson County
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PREPARED BY AND RETURN TO:
Tiffany Parker
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(901)767-5566
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SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated February 23, 2007, recorded in Instrument No. 20070308-0028437, in the Register's Office of Davidson County, Tennessee, Sammuel R. Skelly AKA Samuel R. Skelley, a single person conveyed to Calvery Title, LLC, 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, the undersigned was appointed as Substitute Trustee by Instrument of record in instrument number 20120510-0040432, 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, the holder requested said Substitute Trustee to, upon proper advertisement and notice, 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, the said property was by the Substitute Trustee, 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 November 29, 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 The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust, whose address is Statebridge Company, LLC, 4600 S. Syracuse Street, Suite 700, Denver, Colorado 80237, at and for the sum of $29,100.00, 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 The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust 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 The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust, its 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 40, Unit Number 40-A, a revision of Lots 21-32,39 and 40 on Condominium Site Plan of Lots 21-40, Section 5, Priest Lake Forest, of record in Book 6250, Page 49, Register's Office for Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20070308-0028437, 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. 20070308-0028437, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200303200037116, 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 The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust, 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 11th day of December, 2012.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 11th day of December, 2012, before me, a Notary Public, in and for said State and County, personally appeared Michael A Dennis, 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.

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

Notary Public

CASSANDRA JONES
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

The actual consideration or value, whichever is greater, for this transfer is $29,100.00.

Affiant

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 11th day of December, 2012, before me, a Notary Public, in and for said State and County, personally appeared Michael A Dennis, 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.

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

Notary Public

CASSANDRA JONES
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

PROPERTY ADDRESS: 3532 Seneca Forest Drive, Unit # 40-A, Nashville, Tennessee 37217

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust
4600 S. Syracuse Street
Suite 700
Denver, Colorado 80237

S&K File #11-020381 / SBO
Map & Parcel -136100B04500CO

PREPARED BY AND RETURN TO:
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COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **November 29, 2012 at 10:00 AM local time,** at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, conducted by Shapiro & Kirsch, LLP Substitute Trustee, pursuant to Deed of Trust executed by Semmuel R. Skelly AKA Samuel R. Skelley, a single person, to Calvery Title, LLC, Trustee, on February 23, 2007 at Instrument No. 20070308-0028437; all of record in the Davidson County Register's Office.

Owner of Debt: The Bank of New York Mellon Trust Company, National Association, as Grantor Trustee of the Protium Master Grantor Trust

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:

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

Lot Number 40, Unit Number 40-A, a revision of Lots 21-32,39 and 40 on Condominium Site Plan of Lots 21-40, Section 5, Priest Lake Forest, of record in Book 6250, Page 49, Register's Office for Davidson County, Tennessee.

Street Address: 3532 Seneca Forest Drive, Unit # 40-A, Nashville, Tennessee 37217

Parcel Number: 13610080450000

Current Owner(s) of Property: Samuel R. Skelley

Other interested parties: Priest Lake Forest Condominium Association, c/o C.M. Fisher, Charrin, Burnesed & Smith, PLLC and Discover Bank Issuer of Discover Card, c/o Bart Lloyd Attorney, Nathan & Nathan

The street address of the above described property is believed to be 3532 Seneca Forest Drive, Unit # 40-A, Nashville, Tennessee 37217, 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 referenced 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.

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.

Shapiro & Kirsch, LLP Substitute Trustee
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File No. 11-020381
Oct. 19, 26, Nov. 2, 2012 Fhl16338

PROOF OF PUBLICATION

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

October 19, 2012
October 26, 2012
November 2, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 2nd day of **November 2012,** this instrument was signed and sealed on behalf of the corporation (or association), by authority of its Board of Directors and **Catron Kerr** acknowledged the instrument to be the free act and deed of the corporation (or association) and that the corporation has no corporate seal.

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