PREPARED BY AND RETURN TO:
India Samuels
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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Tennessee FHA

BILL GARRETT, Davidson County
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SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 9, 2009, recorded in Book n/a, Page n/a, Instrument No. 20090318-0024362, in the Register's Office of Davidson County, Tennessee, Michael L. Gross and wife, Carole D. Gross conveyed to Thomas A. Bourdon, 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 20121217-0115712, 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, 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 August 30, 2012 at 10:00 AM, at which time it was announced the sale adjournment to be held on October 30, 2012 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on December 4, 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 Wells Fargo Bank, NA, 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 $114,491.59, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, NA 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 Wells Fargo Bank, NA 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 Madison, County of Davidson, State of Tennessee, to-wit:

> Being Lot No. 10 on the Plan of Bailey Subdivision as of record in Book 5800, page 93, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Book n/a, Page n/a, Instrument No. 20090318-0024362, 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 Book n/a, Page n/a, Instrument No. 20090318-0024362, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20050415-0042116, 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 21 day of December, 2012

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 21ST day of DECEMBER, 2012, before me, a Notary Public, in and for said State and County, personally appeared PHILIP BROOKS, 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

MEGAN HANNA
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 211 East Due West Avenue (Per Deed of Trust), 211 Due West Avenue (Per Assessor), Madison, Tennessee 37115

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 #12-037351 / WNI
Map & Parcel -05108021200

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 August 30, 2012 at 10:00 AM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, see pursuant to Deed of Trust executed by Michael L. Gross and wife, Carole D. Gross, to Thomas A. Bourdon, (Trustee), as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Volunteer Mortgage Corporation on March 9, 2006 and recorded in 20060318-0024860, operated by Shapiro & Kirsch, LLP and/or their duly 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: Wells Fargo Bank, NA

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

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

Being lot no. 16 on the Plan of Bailey Subdivision as of record in Book 6800, page 93, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Street Address: 211 East Due West Avenue (Per Deed of Trust), 211 Due West Avenue (Per Assessor), Madison, Tennessee 37115

Parcel Number: 051080212.00

Current Owner(s) of Property: Michael L. Gross and wife, Carole Diane Gross

The stated address of the above described property is believed to be 211 East Due West Avenue (Per Deed of Trust), 211 Due West Avenue (Per Assessor), Madison, Tennessee 37115, 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 3568 letter mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-8-117. 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 future 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 future filing; and to any matter that an accurate survey of the premises might disclose.

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.

Shapiro & Kirsch, LLP Substitute Trustee
www.kirschattorneys.com
Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
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Phone (901)767-5568
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File No. 12-087351
July 27, Aug. 3, 10, 2012 Rt15367

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 and Dixon counties in Tennessee, states that the hereto attached publication appeared in the NASHVILLE LEDGER on the following dates:

July 27, 2012
August 3, 2012
August 10, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 10th day of **August 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.

FIT

Gerald M. Shapiro
Admitted in Illinois & Florida
Joe M. Kirsch, Managing Partner
Admitted in Tennessee
Sharon N. Fewell, Managing Attorney
Admitted in Arkansas & Tennessee
Ashley M. Jones
Admitted in Arkansas & Tennessee
Bonnie B. Culp
Admitted in Tennessee

Shapiro and Kirsch, LLP

ATTORNEYS AT LAW

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Admitted in Arkansas Federal Courts, Kentucky & Tennessee
Jeremiah L. McGuire
Admitted in Tennessee
Philip Brooks
Admitted in Tennessee
Michael A. Dennie
Admitted in Mississippi & Tennessee

**** IF THERE ARE ANY PROBLEMS WITH RECORDING THIS DEED, PLEASE CALL OUR OFFICE AT (901)767-5566, BEFORE RETURNING THE DEED UNRECORDED ****

January 4, 2013

Davidson County Register of Deeds
Courthouse
Nashville, Tennessee

Re: Substitute Trustee's Deed

Dear Register:

Enclosed please find a Substitute Trustee's Deed from Wells Fargo Bank, NA to the Secretary of Housing and Urban Development. Please record this instrument and return to our office as soon as possible.

If you have any questions please do not hesitate to call the undersigned at the above number.

Sincerely,

Post Sale Department

S&K #: 12-037351