RECORDING LEGEND
PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Gerald A. Carraway

GRANTEE(s)
Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDTRS
Recvd: 01/16/13 14:30 8 pgs
Fees:43.00 Taxes:211.50
20130116-0005347

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated February 23, 2004 and recorded March 17, 2004, as Instrument No. 20040317-0030282 in the Register's Office of Davidson County, Tennessee, Gerald A. Carraway and Dawn J. Carraway conveyed to First National Financial Title Services, as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Accredited Home Lenders, Inc., its successors and assigns, 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, Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5 has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on October 26, 2012 as Instrument No. 20121026-0098330 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5 has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on December 14, 2012 and was advertised a total of three times, prior to actual sale date. A Notice of Right to Foreclose was mailed to the borrower(s) on October 10, 2012 pursuant to Tennessee Code Annotated 35-5-117; and

WHEREAS, pursuant to said advertisement and notice, on January 9, 2013 at the Bridgestone Arena in Nashville, Tennessee, 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 Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5, at and for the sum of $57,163.40, that being the highest and best bid offered; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5 of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to the said Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being Lot Number 346 of the Subdivision of River Trace Estates, Phase 1, Section 3 of record in Plat Book 6900, Page 615, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.
>
> Being the same property conveyed to Gerald A. Carraway by Quitclaim deed recorded December 23, 2009, as Instrument No. 20091223-0116845, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 2742 River Bend Drive, Nashville, Tennessee 37214.
>
> Tax Parcel No.: 062 02 0A 223.00

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 15 day of Jan., 2013

Wilson & Associates, PLLC

By: _____

Kristin A. Camp, Attorney
Wilson & Associates, PLLC
TN Bar #30689

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 15 day of January, 2013.

BRITTANY SIMS Comm. No. 12390928 NOTARY PUBLIC My Comm. Exp. 10-12-2022 SALINE CO., ARKANSAS

_____
Notary Public

My Commission Expires: 10/12/22

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $57,163.40, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Wilson & Associates, PLLC

By: _____

Kristin A. Camp, Attorney
Wilson & Associates, PLLC
TN Bar #30689

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas, this 15 day of January, 2013.

BRITTANY SIMS Comm. No. 12390928 NOTARY PUBLIC My Comm. Exp. 10-12-2022 SALINE CO., ARKANSAS

_____
Notary Public

My Commission Expires: 10/12/22

PROPERTY OWNER OR AGENT RESPONSIBLE FOR PAYMENT OF TAXES:
Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2004-HE5, Mortgage Pass-Through Certificates, Series 2004-HE5
Attn: Correspondence Mail
Mail Code LA4-555 - 700 Kansas Lane
Monroe, LA 71203

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who states as follows:

1. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated February 23, 2004, recorded March 17, 2004, as Instrument No. 20040317-0030282 in the Register's Office of Davidson County, Tennessee, executed by Gerald A. Carraway and Dawn J. Carraway in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Accredited Home Lenders, Inc., its successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as nominee for Accredited Home Lenders, Inc., its successors and assigns.

2. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least three (3) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

3. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C.S. §501, *et seq.* (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 15 day of Jan., 2013.

Wilson & Associates, PLLC

By: _____

Kristin A. Camp, Attorney
Wilson & Associates, PLLC
TN Bar #30689

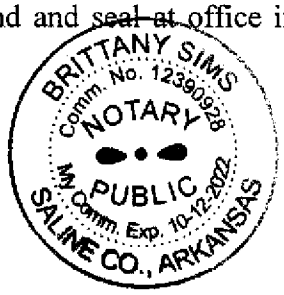
ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and ~~seal at~~ office in Little Rock, Arkansas this 15 day of January, 2013.



Notary Public

My Commission Expires: 10/12/22

DServiceMembersAffidavitTN_bboone_130109_1218

Department of Defense Manpower Data Center

Results as of : Jan-14-2013 06:26:38

SCRA 2.3

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CARRAWAY

First Name: GERALD

Middle Name: A.

Active Duty Status As Of: Jan-14-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

Department of Defense Manpower Data Center

Results as of : Jan-14-2013 06:26:33

SCRA 2.3

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CARRAWAY

First Name: DAWN

Middle Name: J.

Active Duty Status As Of: Jan-14-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the Individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

COST OF PUBLICATION

First Insertion	**$210.00**
Second Insertion	**210.00**
Third Insertion	**210.00**
Total	**$630.00**

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated February 23, 2004, and the Deed of Trust of even date securing the same, recorded March 17, 2004, as Instrument No. 20040317-0030282 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Gerald A. Carraway and Dawn J. Carraway, conveying certain property therein described to First National Financial Title Services as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Accredited Home Lenders, Inc., its successors and assigns; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **January 9, 2013 on or about 10:00 A.M., at the Bridgestone Arena, Nashville, Tennessee**, offer for sale certain property hereinafter described to the highest bidder **FOR CASH**, free from the statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Being Lot Number 346 of the Subdivision of River Trace Estates, Phase 1, Section 3 of record in Plat Book 6900, Page 615, Register's Office for Davidson County, Tennessee.

ALSO KNOWN AS: 2742 River Bend Drive, Nashville, Tennessee 37214

The HB 3588 letter was mailed to the borrower(s) pursuant to Tennessee Code Annotated 35-5-117. This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: **Gerald A. Carraway; Dawn J. Carraway; River Trace Estates Homeowners Association, Inc.**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. **W&A No. 700-104763**

DATED December 4, 2012

WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee

FOR SALE INFORMATION, VISIT WWW.MYFIR.COM and WWW.REALTYTRAC.COM

Dec. 14, 21, 28, 2012 Fn16910

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:

December 14, 2012
December 21, 2012
December 28, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 28th day of **December 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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FPS

True Copy Certification

I, Carmen Ratliff, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Arkansas

County of Pulaski

Personally appeared before me, Matt Martin, a notary public for this county and state, Carmen Ratliff who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: _____
Notary' Seal (if on paper)

MATTHEW D. MARTIN
My Commission # 12371725 2019