PREPARED BY AND RETURN TO:
John Catron
Shapiro & Kirsch, LLP
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Memphis, TN 38117
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BILL GARRETT, Davidson County
Trans:T20130013421 DEEDTRS
Recvd: 02/19/13 09:13 3 pgs
Fees:18.00 Taxes:315.45
20130219-0016076

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 7, 2005, recorded in Instrument No. 20050711-0079957, in the Register's Office of Davidson County, Tennessee, Lan Luong and Tuan T. Tran conveyed to Peter C. Ensign, Attorney at Law, 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 20121105-0101734, 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 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 February 5, 2013, 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, N.A., successor by merger to Wachovia Bank, N.A., whose address is JPMorgan Chase Bank, N.A., 7255 Baymeadows Way, Jacksonville, Florida 32256, at and for the sum of $85,256.34, 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 Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A. 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 Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A., 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:

Being Lot Number 37 on the Plan of Battlewood, Section One, as of record in Plan Book 1835, page 31, Register's office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate description thereof.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20050711-0079957, 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. 20050711-0079957, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20050711-0079956, 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. The Substitute Trustee does not warrant or guarantee any amounts of acreage that may be referenced in the legal description.



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 Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A., 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 11 day of February, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 11th day of February, 2013, before me, a Notary Public, in and for said State and County, personally appeared Ashley M. Jones, 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

JOHN T. CATRON, JR.
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is $85,256.34, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant

Subscribed and sworn to before me on the date written above.

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

_____
Notary Public

JOHN T. CATRON, JR.
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

PROPERTY ADDRESS: 726 Drummond Drive, Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A.
7255 Baymeadows Way
Jacksonville, Florida 32256

S&K File #12-030422 / W50
Map & Parcel -119-12/47.00

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SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on February 5, 2013 at 10:00AM 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 Lan Luong and Tuan T. Tran, to Peter C. Ensign, Attorney at Law, Trustee, on July 7, 2005 at Instrument No. 20050711-0079957: all of record in the Davidson County Register's Office.

Owner of Debt: Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A.

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:

Being Lot Number 37 on the Plan of Battlewood, Section One, as of record in Plan Book 1835, page 31, Register's office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate description thereof.

Street Address: 726 Drummond Drive, Nashville, Tennessee 37211

Parcel Number: 119-12/47.00

Current Owner(s) of Property: Lan T. Luong and husband, Tuan Tran

Other interested parties: Gault Financial, LLC c/o Thompson & Booth Law Firm, Attorneys, LVNV Funding LLC as assignee of GE Capital c/o Nathan & Nathan, P.C., Attorneys, Troy Capital, LLC c/o Buffaloe & Associates, PLC, Attorneys and Arrow Financial Services LLC Financial Service c/o Finkelstein, Kern, Steinberg & Cunningham, Attorneys

The street address of the above described property is believed to be 726 Drummond Drive, Nashville, Tennessee 37211, 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

www.kirschattorneys.com

Law Office of Shapiro & Kirsch, LLP

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Memphis, TN 38117

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File No. 12-030422