THIS INSTRUMENT PREPARED BY:
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Shapiro & Kirsch, LLP
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BILL GARRETT, Davidson County
Trans:T20130018268 DEEDTRS
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SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 21, 1998, recorded in Book 10945, Page 65, Instrument No. n/a, in the Register's Office of Davidson County, Tennessee, Teodoro Ruiz Valles and wife, Brenda M. Valles conveyed to Guaranty Title Company, 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 20121128-0109042, 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 pursuant to T.C.A. §35-5-117(a), Notice of the Right to Foreclose was not required.

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 January 15, 2013 at 10:00 AM, at which time it was announced the sale adjournment to be held on February 19, 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 William H. Smallman, whose address is P O Box 158444, Nashville, TN 37215, at and for the sum of $55,700.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, William H. Smallman, 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 William H. Smallman 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 William H. Smallman, his 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 2, on the Plan of The Subdivision of part of Lots 3 and 4 of the Moore Tract, of record in Book 4060, Page 150, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Book 10945, Page 65, Instrument No. n/a, 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 10945, Page 65, Instrument No. n/a, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quitclaim Deed, recorded in Instrument Number 201108050060422, 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 William H. Smallman, his 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 22nd day of February, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 22nd day of February 2013, before me, a Notary Public, in and for said State and County, personally appeared Michael F. Bennie, 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.

11-14-2015
My commission expires:

Notary Public

DOROTHY A. WILLIAMS STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY, TENN My Comm. Expires November 14, 2015

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 $55,700.00, 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.

10/18/16
My commission expires:

Notary Public

RICHARD M. WILLIAMS STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON

MY COMMISSION EXPIRES: OCTOBER 18, 2016

PROPERTY ADDRESS: 510 Moore Avenue, Nashville, Tennessee 37203

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
William H. Smallman
P O Box 158444, Nashville, TN 37215

S&K File #12-042772 / WNI
Map & Parcel -105 07 0 485.00

RETURN TO:

William Smallman

P.O. Box 158444

Nashville TN 37215

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **January 15, 2013 at 10:00 AM local time,** at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Teodoro Ruiz Valles and wife, Brenda M. Valles, to Guaranty Title Company, Trustee, as trustee for First American National Bank on May 21, 1998 at Book 10945, Page 65; conducted by Shapiro & Kirsch, LLP having been 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 call bidder:

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

Lot Number 2; on the Plan of The Subdivision of part of Lots 3 and 4 of the Moore Tract, of record in Book 4060, Page 150, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Street Address: 510 Moore Avenue, Nashville, Tennessee 37203

Parcel Number: 105 07 0 485.00

Current Owner(s) of Property: Bradley W. Capps

The street address of the above described property is believed to be 510 Moore Avenue, Nashville, Tennessee 37203, 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 3588 letter 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; 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 fixture 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 fixture 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
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Phone (901)767-5566
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File No. 12-042772
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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 7, 2012
December 14, 2012
December 21, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 21st 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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