PREPARED BY AND RETURN TO:
India Samuals
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
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BILL GARRETT, Davidson County
Trans:T20130020016 DEEDTRS
Recvd: 03/12/13 11:19 3 pgs
Fees:17.00 Taxes:0.00
20130312-0024466

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, by Deed of Trust dated July 25, 2007, recorded in Instrument No. 20070814-0096956, in the Register's Office of Davidson County, Tennessee, Brandon G. Gann and Tanya R. Gann, husband and wife conveyed to Joseph B. Pitt, Jr., 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 20121221-0117932, 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 February 14, 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 OneWest Bank, FSB, whose address is OneWest Bank, FSB, 888 E. Walnut Street, Pasadena, California 91101, at and for the sum of $147,658.16, that being the highest and best bid offered; and,

WHEREAS, the said OneWest Bank, FSB has assigned its interests in the said property to Federal National Mortgage Association, its 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 OneWest Bank, FSB 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 Federal National Mortgage Association, 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 16 on the plan of Southwood of record in Plat Book 2663, Pages 125 and 126, said Register's Office, to which plat reference is hereby made for a more complete legal description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20070814-0096956, 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. 20070814-0096956, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Instrument number 200602100016697, 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 Federal National Mortgage Association, 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 4th day of March 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 4th day of March, 2013, 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.

06/01/14
My commission expires:

Claire M. Julian
Notary Public

CLAIRE H. JULIAN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. JUNE 01, 2014

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

**PROPERTY ADDRESS:** 5206 Raywood Lane, Nashville, Tennessee 37211

**PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

**S&K File #09-019378 / INC**
**Map & Parcel -16108003700**

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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 **February 14, 2013 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 Brandon G. Gann and Tanya R. Gann, husband and wife, to Joseph B. Pitt, Jr., Trustee, on July 25, 2007 at Instrument No. 20070814-0096956; all of record in the Davidson County Register's Office.

Holder: OneWest Bank, FSB

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, and being more particularly described in deed of record in Instrument No. 20070814-0096956; in the Register's Office of Davidson County, Tennessee

Parcel Number: 16108003700

Current Owner(s) of Property: Brandon G. Gann and wife, Tanya R. Gann

The street address of the above described property is believed to be 5206 Raywood Lane, 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
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File No. 09-019378
Jan. 4, 11, 18, 2013 Fil17097

## 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:

**January 4, 2013**
**January 11, 2013**
**January 18, 2013**

**THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER**

By: _____
**Catron J. Kerr, Administrative Assistant**

STATE OF TENNESSEE

On this 18th day of **January 2013,** 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.

2

**FIT**