PREPARED BY AND RETURN TO:
Candice Rakowski
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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Davidson County DEEDTRS
Recvd: 04/18/13 14:10 4 pgs
Fees:23.00 Taxes:136.90
20130418-0038767

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated December 13, 2007, recorded in Instrument No. 20071219-0145609, in the Register's Office of Davidson County, Tennessee, Darren Scott Girardin, unmarried conveyed to Brando G. Polito, 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 20130131-0010104, 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 the undersigned to advertise and 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 by said Wells Fargo Financial Tennessee 1, LLC, 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 March 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 Apex Land, LLC, whose address is 7125 Bakers Bridge Ave, Brentwood, TN 37027, at and for the sum of $37,000.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Apex Land, LLC, 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 Apex Land, LLC 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 Apex Land, LLC, his/her/their/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 the City of Nashville, in the County of Davidson and State of Tennessee, to wit:

Lot Number 32 Hickory View, Section One, as of record in Book 5210, Page 211, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20071219-0145609, 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. 20071219-0145609, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quitclaim Deed, recorded in Book 10591, Page 661, 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.



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 Apex Land, LLC, his/her/their/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 15th day of April, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 15th day of April 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.

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

11-14-2015
My commission expires:

_____
Notary Public

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 $37,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Tim King Member
Affiant

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

JENNIFER R. PIERCE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

1-6-14
My commission expires:

_____
Notary Public

PROPERTY ADDRESS: 405 Ashlar Circle, Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Apex Land, LLC
7125 Bakers Bridge Ave, Brentwood, TN 37027

S&K File #12-040170
Map & Parcel -162 05 0 286.00

RETURN TO:

Apex Land, LLC

7125 Bakers Bridge Ave

Brentwood, TN ~~3720~~ 37027

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

Department of Defense Manpower Data Center

Results as of : Mar-20-2013 05:50:21

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: GIRARDIN
First Name: DARREN
Middle Name: SCOTT
Active Duty Status As Of: Mar-20-2013

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. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

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
Second Insertion
Third Insertion
Total ____

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **March 19, 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 Darren Scott Girardin, unmarried, to Brando G. Polito, Trustee, as trustee for Wells Fargo Financial Tennessee 1, LLC on December 13, 2007, at Instrument No. 20071219-0145609; 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 Financial Tennessee 1, LLC

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

Described property located in the City of Nashville, in the County of Davidson and State of Tennessee, to wit:

Lot Number 32 Hickory View, Section One, as of record in Book 5210, Page 211, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Street Address: 405 Ashlar Circle, Nashville, Tennessee 37211

Parcel Number: 162 05 0 286.00

Current Owner(s) of Property: Darren Scott Girardin

Other Interested parties: Wells Fargo Financial Bank

The street address of the above described property is believed to be 405 Ashlar Circle, 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 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. In addition, the following parties may claim an interest in the above-referenced property:

Wells Fargo Financial Bank

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
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690

File No. 12-040170
Feb. 15, 22, Mar. 1, 2013 Fil17620

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:

February 15, 2013
February 22, 2013
March 1, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 1st day of **March 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.

I, Andy Maloney, 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 TN
County of Davidson

Personally appeared before me, Hal Wilson, a notary public for this county and state, Andy Maloney, who acknowledges that this certificate of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My commission expires: 7/6/15

HAL E. WILSON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY