PREPARED BY AND RETURN TO:
India Samuels
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
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BILL GARRETT, Davidson County
Trans:T20130032661 DEEDTRS
Recvd: 04/22/13 09:35 4 pgs
Fees:22.00 Taxes:0.00
20130422-0039543

S&K:09-021945

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 13, 2006, recorded in Instrument No. 20061017-0128793; modified at Instrument Number 20080211-0013602, in the Register's Office of Davidson County, Tennessee, Dawn K. Whitley, a single woman conveyed to Overland Title Company, LLC, 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 20110916-0072035, 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 property was by Substitute Trustee, 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 April 9, 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 Ocwen Loan Servicing, LLC, whose address is Ocwen Loan Servicing, LLC, 1661 Worthington Road; Suite 100, P.O. Box 24737, West Palm Beach, Florida 33409, at and for the sum of $70,465.00, that being the highest and best bid offered; and,

WHEREAS, the said Ocwen Loan Servicing, LLC has assigned its interests in the said property to Federal Home Loan Mortgage Corporation, 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 Ocwen Loan Servicing, 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 Federal Home Loan Mortgage Corporation, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Old Hickory, County of Davidson, State of Tennessee, to wit:

> A certain lot or parcel of land in the Fourth (4th) Civil District of Davidson County, Tennessee, being part of Tract Number 10 on the unrecorded plan of Life and Casualty Insurance Company's Subdivision, more particularly described as follows:
>
> Beginning on the Westerly margin of Pitts Avenue at a point 300 feet South of the Southerly margin of the right of way of the Tennessee Central Railroad; thence with the Westerly margin of said avenue Southwardly 65 feet; thence Westwardly and parallel to the Southerly margin of said right of way 275 feet; thence Northwardly and parallel to the Westerly margin of Pitts Avenue 65 feet; thence Eastwardly 275 feet to the beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20061017-0128793; modified at Instrument Number 20080211-0013602, 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. 20061017-0128793; modified at Instrument Number 20080211-0013602, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed recorded at Instrument Number 200610170128792, 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 Federal Home Loan Mortgage Corporation, 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 15 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 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 _____

MEGAN HANNA
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 407 Pitts Avenue, Old Hickory, Tennessee 37138

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Federal Home Loan Mortgage Corporation
2839 Paces Ferry Road NW
Suite 700
Atlanta, Georgia 30339

S&K File #09-021945
Map & Parcel -05316007300

Department of Defense Manpower Data Center

Results as of : Mar-29-2013 10:23:55

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: WHITLEY
First Name: DAWN
Middle Name: K.
Active Duty Status As Of: Mar-29-2013

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 **April 9, 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 Dawn K. Whitley, a single woman, to Overland Title Company, LLC, Trustee, on October 13, 2006 at Instrument No. 20061017-0128793; modified at Instrument Number 20080211-0013602; all of record in the Davidson County Register's Office.

Owner of Debt: Ocwen Loan Servicing, LLC

The following real estate located in Davidson County, Tennessee, will be sold to the highest cell bidder subject to all unpaid taxes, prior liens and encumbrances of record:

A certain lot or parcel of land in the Fourth (4th) Civil District of Davidson County, Tennessee, being part of Tract Number 10 on the unrecorded plan of Life and Casualty Insurance Company's Subdivision, more particularly described as follows:

Beginning on the Westerly margin of Pitts Avenue at a point 300 feet South of the Southerly margin of the right of way of the Tennessee Central Railroad; thence with the Westerly margin of said avenue Southwardly 65 feet; thence Westwardly and parallel to the Southerly margin of said right of way 275 feet; thence Northwardly and parallel to the Westerly margin of Pitts Avenue 65 feet; thence Eastwardly 275 feet to the beginning.

Street Address: 407 Pitts Avenue, Old Hickory, Tennessee 37138

Parcel Number: 05316007300

Current Owner(s) of Property: Dawn K. Whitley

Other interested parties: Suntrust Bank

The street address of the above described property is believed to be 407 Pitts Avenue, Old Hickory, Tennessee 37138, 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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555 Perkins Road Extended, Second Floor
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Phone (901)767-5566
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File No. 09-021945
Mar. 8, 15, 22, 2013 FI17858

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:

March 8, 2013
March 15, 2013
March 22, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 22nd 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.

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