THIS INSTRUMENT PREPARED BY:
India Samuels
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566

Davidson County DEEDTRS
Recvd: 05/22/13 12:40 10 pgs
Fees:53.00 Taxes:273.80
20130522-0051731

S&K:12-039517

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated March 20, 2003, recorded in Instrument No. 20030327-0040382, in the Register's Office of Davidson County, Tennessee, Leonard Laviolette and wife, Nadege Laviolette conveyed to Nations Title Agency of Tennessee, Inc., 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 20130314-0025381, 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 May 2, 2013, at the Davidson County Courthouse, South Main door, One Public Square, Chattanooga, 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 James Roberts, whose address is 201 Thompson Lane, Suite 200, Nashville, TN 37211, at and for the sum of $60,200.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, James Roberts, 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 James Roberts 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 James Roberts, his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Antioch, County of Davidson, State of Tennessee, to-wit:

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

Lot Number 76 on the Plan of Whitemore Valley, Section 4, of record in Book 6250, Page 873, Register's Office for said County.

Said Lot Number 76 fronts 60.00 feet on the Northwesterly margin of Michele Drive and extends back 167.00 feet on the Northeasterly line and 167.00 feet on the Southwesterly line to a dead line in the rear measuring 60.00 feet thereon.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20030327-0040382, 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. 20030327-0040382, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Instrument Number 20120611-0051069, 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.

This conveyance is subject to the right of the State of Tennessee to redeem the land as provided for in T.C.A. 67-1-1433 (c) (1). Attached hereto is a copy of said notice and letter of compliance.



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 James Roberts, 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 14 day of May, 2013.

Shapiro & Kirsch, LLP

By: Ashley M Jones

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 14th day of May, 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

HILARY MARTIN
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 ~~$60,200.00~~, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

JR #74,000.00

Affiant

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

3.3.15

My commission expires:

Notary Public

JAMES C. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

PROPERTY ADDRESS: 552 Michelle Drive, Antioch, Tennessee 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
James Roberts
201 Thompson Lane, Suite 200, Nashville, TN 37211

S&K File #12-039517 / HFY
Map & Parcel -162-11-0-016.00

RETURN TO:

James Roberts

200 Thompson Lane

Nashville TN 37210

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

Gerald M. Shapiro
Admitted in Illinois & Florida
Joe M. Kirsch, Managing Partner
Admitted in Tennessee
Sharon N. Fewell, Managing Attorney
Admitted in Arkansas & Tennessee
Ashley M. Jones
Admitted in Arkansas & Tennessee
Bonnie B. Culp
Admitted in Tennessee

Shapiro and Kirsch, LLP
ATTORNEYS AT LAW

Robert Schneider
Admitted in Tennessee
Matthew W. Graves
Admitted in Arkansas Federal Courts, Kentucky & Tennessee
Leigh Skorupa
Admitted in Tennessee
Philip Brooks
Admitted in Tennessee
Michael A. Dennie
Admitted in Mississippi & Tennessee

March 18, 2013

CERTIFIED MAIL # 7196 9008 9111 8139 3204
RETURN RECEIPT REQUESTED

State of Tennessee
Commissioner of Revenue
Andrew Jackson State Office Building
Nashville, TN 37242-0002

RE: Property Address: 552 Michelle Drive, Antioch, Tennessee 37013
Property Owner(s): Leonard Laviolette
S&K # 12-039517

Dear Sir:

Pursuant to T.C.A. 67-1-1433 and applicable Tennessee statutes, as attorney for HSBC Consumer and Mortgage Lending, I am submitting this as formal notice of the foreclosure proceedings of the above described real property.

The loan is held by HSBC Bank USA, N.A. of record at Instrument No. 20030327-0040382 in Davidson, Tennessee.

The legal description of the property is:

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

Lot Number 76 on the Plan of Whitemore Valley, Section 4, of record in Book 6250, Page 873, Register's Office for said County.

Said Lot Number 76 fronts 60.00 feet on the Northwesterly margin of Michele Drive and extends back 167.00 feet on the Northeasterly line and 167.00 feet on the Southwesterly line to a dead line in the rear measuring 60.00 feet thereon.

Your Notice of Tax Lien was filed: Instrument No. 20100405-0024987

County: Davidson
Date: April 10, 2010

and has Account Number: 002 -8061

The foreclosure will be held for cash:

Place: Davidson County Courthouse
Date: May 2, 2013
Time: 10:00AM

The approximate amount of the principal obligation including interest is **$140,789.80.**

The approximate expenses will be:

Advertisement	**$ 450.00**
Attorney fee	**$ 550.00**
Recording	**$ 32.00**

Please advise immediately of any problems or objections. Also, please reference our file number on any correspondence returned to our office.

Sincerely,

Joe M. Kirsch

Encl.
cc: HSBC Consumer and Mortgage Lending

N0007501 3874491100329

TENNESSEE DEPARTMENT OF REVENUE

NOTICE OF STATE TAX LIEN

Pursuant to the provisions of T.C.A. 67-1-1401 et. seq. a lien exists in favor of the State of Tennessee. This lien exists on all property and all rights, title and interest in property acquired prior to or subsequent to the filing of this notice that belongs to the named taxpayer(s).

Notice is hereby given that there have been assessed taxes, penalty, and interest against the indicated taxpayer, which after demand for payment remain unpaid. The precise amount of the lien may be obtained from the State of Tennessee Tax Enforcement Division at (615) 741-7074.

FOR DEPARTMENT OF REVENUE USE ONLY

TAXPAYER:

JERROLD SMITH

D/B/A: JERROLD L SMITH
5801 SEVEN POINTS TRCE
HERMITAGE TN 37076-3689

ENTITY ID:

002 [redacted]-8061

002[redacted]-8061

COUNTY: DAVIDSON

This instrument was prepared by the Tennessee Department of Revenue.

Witness my hand, at Nashville, Tennessee, on March 30, 2010.

COMMISSIONER OF REVENUE

By: William E. Hobbs
Delegate of Commissioner

FOR REGISTER USE ONLY .... PRINT OR STAMP

BOOK NO	PAGE NO.	DATE	TIME
REGISTER	BILL GARRETT, Davidson County Trans:T20100019421 LIENSTL Rcvd: 04/05/10 11:39 1 pgs Fees:12.00 Taxes:0.00 20100405-0024987	BY:	

RV-N0007501

Department of Defense Manpower Data Center

Results as of : Apr-25-2013 05:31:51

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: KELLEY
First Name: STEPHEN
Middle Name:
Active Duty Status As Of: Apr-25-2013

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 whether the individual left active duty status within 367 days preceding the Active Duty Status Date			

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

Department of Defense Manpower Data Center

Results as of : Apr-25-2013 05:31:45

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: LAVIOLETTE
First Name: NADEGE
Middle Name:
Active Duty Status As Of: Apr-25-2013

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 whether 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 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

Department of Defense Manpower Data Center

Results as of : Apr-25-2013 05:31:40

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: LAVIOLETTE
First Name: LEONARD
Middle Name:
Active Duty Status As Of: Apr-25-2013

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 whether 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 **May 2, 2013 at 10:00 AM local time**, at the Davidson County Courthouse, South Main door, One Public Square, Chattanooga, Tennessee, conducted by Shapiro & Kirsch, LLP Substitute Trustee, pursuant to Deed of Trust executed by Leonard Laviolette and wife, Nadege Laviolette, to Nations Title Agency of Tennessee, Inc., Trustee, on March 20, 2003 at Instrument No. 20030327-0040382; all of record in the Davidson County Register's Office.

Owner of Debt: HSBC Bank USA, 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:

Lot Number 76 on the Plan of Whitemore Valley, Section 4, of record in Book 6250, Page 873, Register's Office for said County.

Said Lot Number 76 fronts 60.00 feet on the Northwesterly margin of Michele Drive and extends back 167.00 feet on the Northeasterly line and 167.00 feet on the Southwesterly line to a dead line in the rear measuring 60.00 feet thereon.

Street Address: 552 Michelle Drive, Antioch, Tennessee 37013

Parcel Number: 162-11-0-016.00

Current Owner(s) of Property: Stephen Kelley, unmarried

Other interested parties: SunTrust Bank C/O John R. Cheadle, Jr. and Advanta Bank Corp. C/O McLemore & Edington, PLLC

The street address of the above described property is believed to be 552 Michelle Drive, Antioch, Tennessee 37013, 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.

Notice of this Substitute Trustee's Sale has been timely given to the State of Tennessee as required by T.C.A. § 67-1-1433(b)(1).

Terms of Sale will be public auction, for cash, free and clear of rights of homestead, redemption and dower, and the rights of Leonard Laviolette and wife, Nadege Laviolette, and those claiming through them, and subject to the right of redemption by the DEPARTMENT OF REVENUE, STATE OF TENNESSEE by reason of tax lien of record in Instrument No. 20100405-0024987 at the Register's Office of Davidson County, Tennessee, subject to any accrued taxes and restrictions.

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
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
Fax (901)761-5690

File No. 12-039517
Mar. 22, 29, Apr. 5, 2013 Fil18039

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 22, 2013
March 29, 2013
April 5, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 5th day of **April 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.

FIT

CERTIFIED FOR REMOTE FILING:

I, Michael J. Mills, 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.

Michael J. Mills, attorney at law

State of Tennessee:
County of Davidson

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Michael J. Mills, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be the named person, and that he/she executed the foregoing instrument for the purposes therein contained.

Notary Public James C. Smith
My Commission Expires: March 3, 2015

JAMES C. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY