RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Henry W. Hicks and Adell R. Hicks

GRANTEE(s)
Les Lazarus

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDTRS
Recvd: 05/29/13 08:15 8 pgs
Fees:43.00 Taxes:329.30
20130529-0053712

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 27, 2002 and recorded January 3, 2003, as Instrument No. 20030103-0001507 in the Register's Office of Davidson County, Tennessee, Henry W. Hicks and Adell R. Hicks conveyed to R. Rick Hart, as Trustee for Capital Bank & Trust Company, 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, Bank of America, N.A. has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on April 30, 2013 as Instrument No. 20130430-0042945 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and Bank of America, N.A. has requested said Successor Trustee to, upon proper advertisement and notice, sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, in pursuance of said request by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on March 22, 2013 and was advertised a total of three times, prior to actual sale date; announcing the scheduled sale date of April 17, 2013; and on said date the sale was announced to be postponed to May 15, 2013; and

WHEREAS, pursuant to said advertisement and notice, on May 15, 2013 at the Bridgestone Arena in Nashville, Tennessee, 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 Les Lazarus, at and for the sum of $56,000.00, that being the highest and best bid offered; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Les Lazarus of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to the said Les Lazarus, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot Number 12, Hickory Bend, Section 5, as of record in Book 3600, page 45, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete legal description.
>
> Being the same property conveyed to Henry W. Hicks and wife, Adell R. Hicks by Warranty Deed recorded February 9, 1993 , at Book 8860, Page 623, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 3338 Percy Priest Drive, Nashville, Tennessee 37214.
>
> Tax Parcel No.: 096 16 013.00

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto Les Lazarus, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 21 day of May, 2013.

Wilson & Associates, PLLC

By: _____
Kristin A. Camp
Wilson & Associates, PLLC
TN Bar #30689

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 21st day of May, 2013.

TERESA A. HAYES NOTARY PUBLIC COM. EXP. 2-21-2015 SALINE COUNTY, ARKANSAS

Notary Public

My Commission Expires: 2-21-2015

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $~~$~~89,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Les Lazarus

ACKNOWLEDGMENT

STATE OF Tennessee

COUNTY OF Davidson

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Les Lazarus, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in Nashville this 28 day of May, 2013.

Notary Public

My Commission Expires: 3-3-15

JAMES C. SMITH STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Les Lazarus
915 Lewisburg Pk
Franklin TN 37064

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who states as follows:

1. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated December 27, 2002, recorded January 3, 2003, as Instrument No. 20030103-0001507 in the Register's Office of Davidson County, Tennessee, executed by Henry W. Hicks and Adell R. Hicks in favor of Capital Bank & Trust Company to secure the payment of a deed of trust note to Capital Bank & Trust Company.

2. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least twelve (12) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed.

3. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C.S. §501, *et seq*. (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 21 day of May, 2013.

Wilson & Associates, PLLC

By: _____
Kristin A. Camp, Attorney
Wilson & Associates, PLLC
TN Bar #30689

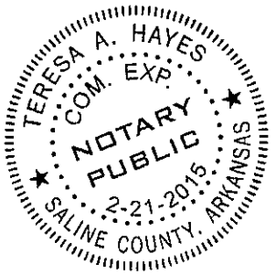
ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 21st day of May, 2013.



Notary Public

My Commission Expires: 2-21-2015

DServiceMembersAffidavitTN_wfiser_130515_1439

Department of Defense Manpower Data Center

Results as of : May-14-2013 01:00:31

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: HICKS
First Name: ADELL
Middle Name: R
Active Duty Status As Of: May-14-2013

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

Department of Defense Manpower Data Center

Results as of : May-14-2013 01:00:27

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: HICKS
First Name: HENRY
Middle Name: W
Active Duty Status As Of: May-14-2013

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			
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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

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated December 27, 2002, and the Deed of Trust of even date securing the same, recorded January 3, 2003, as Instrument No. 20030103-0001507 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Henry W. Hicks and Adell R. Hicks, conveying certain property therein described to R. Rick Hart as Trustee for Capital Bank & Trust Company; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **April 17, 2013 on or about 10:00 A.M., at the Bridgestone Arena, Nashville, Tennessee,** offer for sale certain property hereinafter described to the highest bidder **FOR CASH,** free from the statutory right of redemption, homestead, dower, and all other exemptions which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Land in Davidson County, Tennessee, being Lot Number 12, Hickory Bend, Section 5, as of record in Book 3600, Page 45, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete legal description.

ALSO KNOWN AS: 3338 Percy Priest Drive, Nashville, Tennessee 37214

The HB 3588 letter was 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; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights 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: **Henry W. Hicks; Adell R. Hicks; Capital Bank & Trust Company**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. **W&A No. 726-164224**

DATED March 4, 2013

WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee

FOR SALE INFORMATION, VISIT WWW.MYFIR.COM and WWW.REALTYTRAC.COM

Mar. 22, 29, Apr. 5, 2013 Fil18063

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.

FPS

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

