BILL GARRETT, Davidson County
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PREPARED BY AND RETURN TO:
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Tennessee FHA

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 22, 2005, recorded in Instrument No. 20050927-0116113, in the Register's Office of Davidson County, Tennessee, John R. Potter and Larika V. McNeal, husband and wife conveyed to Jeanine B. Saylor, 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, Tennessee Housing Development Agency appointed the undersigned as Substitute Trustee by Instrument of record in Instrument Number 201208060069586, 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, Tennessee Housing Development Agency 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 Tennessee Housing Development Agency, 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 October 9, 2012, 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 Tennessee Housing Development Agency, whose address is Magna Bank, 825 Timbercreek Drive, Cordova, Tennessee 38018, at and for the sum of $118,525.07, that being the highest and best bid offered; and,

WHEREAS, the said Tennessee Housing Development Agency has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., his 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 Tennessee Housing Development Agency 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 Secretary of Housing and Urban Development, Washington, D.C., his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

> Land in Davidson County, Tennessee, being Lot No. 70 on the Plan of Primrose Meadows, Section I, as of record in Plat Book 4675, Page 18, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description of said lot.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20050927-0116113, 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. 20050927-0116113, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20050927-0116112, 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.

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 Secretary of Housing and Urban Development, Washington, D.C., his 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 October, 2012

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 15TH day of October, 2012, before me, a Notary Public, in and for said State and County, personally appeared Philip Brooks, 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
FEBRUARY 22, 2015

My commission expires:

Notary Public

PAMELA LOGSTON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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

PROPERTY ADDRESS: 209 Connare Drive, Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

S&K File #12-038893 / CRY
Map & Parcel -03316009000

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COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
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SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on October 9, 2012 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 John R. Potter and Larika V. McNeal, husband and wife, to Jeanine B. Taylor, Trustee, on September 22, 2005 at Instrument No. 20050927-0116113; all of record in the Davidson County Register's Office.

Owner of Debt: Tennessee Housing Development Agency

The following real estate located in Davidson County, Tennessee, will be sold to the highest bid 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. 20050927-0116113; in the Register's Office of Davidson County, Tennessee.

Parcel Number: 03318009000

Current Owner(s) of Property: John R. Potter and Larika V. McNeal, husband and wife

Other Interested parties: First Mutual Bank

The street address of the above described property is believed to be 209 Connare Drive, Madison, Tennessee 37115, 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. 39-5-117 have been met.

SALE IS SUBJECT TO ANY INTEREST THAT MAY EXIST IN UNRELEASED DEED OF TRUST OF RECORD AT BOOK 7357, PAGE 257, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE. SALE IS SUBJECT TO UCC FINANCING STATEMENT HELD BY FIRST MUTUAL BANK, OF RECORD AT INSTRUMENT NO. 20080304-0019310, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

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. 12-038893
Aug. 17, 24, 31, 2012 Fh15539

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:

August 17, 2012
August 24, 2012
August 31, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 31st day of **August 2012,** 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