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: 06/27/13 14:48 3 pgs
Fees:18.00 Taxes:238.28
20130627-0066323

S&K:12-037679

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 5, 2004, recorded in Instrument No. 20041018-0124941, in the Register's Office of Davidson County, Tennessee, Zelia Clark, solely conveyed to Peter C. Ensign, Attorney at Law, 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 20130204-0011222, 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 March 28, 2013 at 10:00 AM, at which time it was announced the sale adjoumment to be held on May 2, 2013 at 10:00 AM, at which time it was announced the sale was further adjoumed to be held on June 6, 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 5516 MAPLEAONG DRIVE, Nashville, TN 37211, at and for the sum of $64,401.00, 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, its 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 110 on the Plan of Forest View Park, Phase II, Section V of record in Plat Book 6250, Page 458, Register's Office for said County, to which reference is made for a more complete description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20041018-0124941, 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. 20041018-0124941, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed Recorded in Instrument number 20041018-0124940, 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.

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, 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 13th day of June, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

Michael A. Dennie

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 13th day of June, 2013, before me, a Notary Public, in and for said State and County, personally appeared Michael A. Dennie, 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.

CANDACE M. BSEY
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
~~AUGUST 01, 2016~~
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 $64,401.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

LeAnn Maloney
Affiant

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

1-6-14
My commission expires:

Notary Public

JENNIFER R. PIERCE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

PROPERTY ADDRESS: 3128 Kinwood Drive, Antioch, Tennessee 37013

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
APEX LAND, LLC
~~5516 MAPLEAONG DRIVE, Nashville, TN 37211~~
7125 Bakers Bridge Avenue, Brentwood, TN 37027
S&K File #12-037679 / CWF
Map & Parcel -15009018200

RETURN TO:

Apex Land LC

7125 Bakers Bridge Avenue

Brentwood, TN 37027

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

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COST OF PUBLICATION

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SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **March 28, 2013 at 10:00 A.M. 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 Zelia Clark, solely, to Peter C. Ensign, Attorney at Law, Trustee, on August 5, 2004 at Instrument No. 20041018-0124941; all of record in the Davidson County Register's Office.

Owner of Debt: Bank of America, 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 116 on the Plat of Forest View Park, Phase II, Section V of record in Plat Book 6250, Page 458, Register's Office for said County, to which reference is made for a more complete description.

Street Address: 3128 Kinwood Drive, Antioch, Tennessee 37013

Parcel Number: 15009018200

Current Owner(s) of Property: Zelia Clark, unmarried

Other Interested parties: The Bank of Nashville

The street address of the above described property is believed to be 3128 Kinwood 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.

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. 12-037679
Feb. 22 Mar. 1, 8, 2013 Fil17736

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 22, 2013
March 1, 2013
March 8, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr/ Administrative Assistant

STATE OF TENNESSEE

On this 8th 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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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 WILSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY