BILL GARRETT, Davidson County
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PREPARED BY AND RETURN TO:
India Samuels
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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S&K:11-020533

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 30, 2007, recorded in Instrument No. 20070214-0018650, in the Register's Office of Davidson County, Tennessee, Frank Marks conveyed to J. Phillip Jones, 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 20110829-0066605, 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 7, 2013 at 12:00 PM, at which time it was announced the sale adjournment to be held on May 21, 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 Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1, whose address is 1661 Worthington Road, Suite 100, P.O. Box 24737, West Palm Beach, Florida 33409, at and for the sum of $148,750.00, that being the highest and best bid offered; and,

WHEREAS, the said Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 has assigned its interests in the said property to Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 Nova Star Home Equity Loan Asset-Backed Certificates, Series 2007-1, 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 Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 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 Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 Nova Star Home Equity Loan Asset-Backed Certificates, Series 2007-1, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Described property located in Davidson County, Tennessee, more particularly described as follows:

Being the westerly part of Lot Number 1 on the map of Bluefields Subdivision, of record in Book 843, Page 16, Register's Office for Davidson County, Tennessee and also being the westerly part of Lot Number 1 on Map of the Re-Subdivision of Lots Number 1 and 2 inclusive by R.D. Stanford, not of record, and described as follows:

Beginning at a point on the northerly margin of Bluefields Avenue 70 feet West of the common corner of Lot Numbers 1 and 2 in Bluefields Subdivision, of record in Book 843, Page 16, said Register's Office, and 5 feet West of the common corner of Lots Numbers 1 and 2 of the Re-Subdivision; thence in a northwesterly direction, along the margin of Bluefield Avenue, 283.6 feet to a point at the beginning of a curve; thence around said curve northeasterly 35.7 feet to a point in the southerly margin of the New Lebanon Road; thence with the margin of the same, easterly 188.6 feet to a point, the beginning of the Viaduct; thence southerly 20 feet to a point; thence easterly, with the Viaduct, 90.7 feet to a point which is 83.7 feet West of the dividing line between Lot Numbers 1 and 2 in Bluefields Subdivision, of record in Book 843, page 16, said Register's Office and being 10 feet West of the corner of Lots Numbers 1 and 2 of the Re-subdivision; thence in a southwesterly direction 228 feet more or less to the beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20070214-0018650, 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. 20070214-0018650, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed of record at Instrument Number 20130226-0019139, 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 Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 Nova Star Home Equity Loan Asset-Backed Certificates, Series 2007-1, 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 9 day of July, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 9th day of July, 2013, before me, a Notary Public, in and for said State and County, personally appeared Phillip 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
JANUARY 05, 2015
My commission expires:

_____
Notary Public

CASSANDRA JONES
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 $148,750.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant

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

MY COMMISSION EXPIRES
JANUARY 05, 2015
My commission expires:

_____
Notary Public

CASSANDRA JONES
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

PROPERTY ADDRESS: 2600 Bluefield Avenue, Nashville, Tennessee 37214

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 Nova Star Home Equity Loan Asset-Backed Certificates, Series 2007-1
1661 Worthington Road, Suite 100
P.O. Box 24737
West Palm Beach, Florida 33409

S&K File #11-020533 / BFB
Map & Parcel -095 04 0 204.00

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **May 7, 2013 at 12:00 PM 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 Frank Marks, to J. Phillip Jones, Trustee, on January 30, 2007 at Instrument No. 20070214-0018650, all of record in the Davidson County Register's Office.

Owner of Debt: Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1

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, more particularly described as follows:

Being the westerly part of Lot Number 1 on the map of Bluefields Subdivision, of record in Book 843, Page 16, Register's Office for Davidson County, Tennessee and also being the westerly part of Lot Number 1 on Map of the Re-Subdivision of Lots Number 1 and 2 inclusive by R.D. Stanford, not of record, and described as follows:

Beginning at a point on the northerly margin of Bluefields Avenue 70 feet West of the common corner of Lot Numbers 1 and 2 in Bluefields Subdivision, of record in Book 843, Page 16, said Register's Office, and 5 feet West of the common corner of Lots Numbers 1 and 2 of the Re-Subdivision; thence in a northwesterly direction, along the margin of Bluefield Avenue, 283.6 feet to a point at the beginning of a curve; thence around said curve northeasterly 35.7 feet to a point in the southerly margin of the New Lebanon Road; thence with the margin of the same, easterly 188.6 feet to a point, the beginning of the Viaduct; thence southerly 20 feet to a point; thence easterly, with the Viaduct, 90.7 feet to a point which is 83.7 feet West of the dividing line between Lot Numbers 1 and 2 in Bluefields Subdivision, of record in Book 843, page 16, said Register's Office and being 10 feet West of the corner of Lots Numbers 1 and 2 of the Re-subdivision; thence in a southwesterly direction 228 feet more or less to the beginning.

Street Address: 2600 Bluefield Avenue, Nashville, Tennessee 37214.

Parcel Number: 095 04 0 204.00

Current Owner(s) of Property: Frank Marks

Other interested parties: Sandra Bennett and Yellow Book Sales & Distribution c/o Buffaloe & Associates, PLC

The street address of the above described property is believed to be 2600 Bluefield Avenue, Nashville, Tennessee 37214, 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
www.kirschattorneys.com
Law Office of Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5566
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File No. 11-020533
Apr. 5, 12, 19, 2013 Fil18233

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:

April 5, 2013
April 12, 2013
April 19, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr/Administrative Assistant

STATE OF TENNESSEE

On this **19th** 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.

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FIT

Department of Defense Manpower Data Center

Results as of : May-20-2013 04:45:10

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: MARKS

First Name: FRANK

Middle Name:

Active Duty Status As Of: May-20-2013

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