BILL GARRETT, Davidson County
Trans:T20130078588 DEEDTRS
Recvd: 09/11/13 09:23 5 pgs
Fees:28.00 Taxes:1098.90
20130911-0095732

This instrument prepared by:
J. PHILLIP JONES
ATTORNEY AT LAW
1800 HAYES STREET
NASHVILLE, TN 37203
PARCEL ID: 072 02 0 059.00
3403/3405 GALLATIN PIKE
NASHVILLE, TN 37216
(A/K/A 3403/3405 GALLATIN ROAD
NASHVILLE, TN 37216).

NO MORTGAGE
New Owner - Send Tax Bills:
BAYVIEW LOAN SERVICING, LLC
5TH FLOOR MERRICK PARK PLAZA
4425 PONCE DE LEON BLVD
CORAL GABLES, FL 33146

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on **AUGUST 30, 2007, PREFERRED ESCROW & TITLE, LLC** was named Trustee in a Deed of Trust of even date executed by **IN TOUCH PAGING SERVICE, LLC,** conveying to him as Trustee the real estate hereinafter described, said Deed of Trust being executed to secure the payment of **$328,000.00,** principal, said Deed of Trust being recorded in **INSTRUMENT NO. 20071016-0122813 (SEE ALSO ASSIGNMENT OF LEASES AND RENTS OF RECORD IN INSTRUMENT NO. 20071016-0122814 AND UCC FINANCING STATEMENT OF RECORD IN INSTRUMENT NO. 20080314-0025937 WITH CONTINUATION STATEMENT OF RECORD IN INSTRUMENT NO. 20130204-0011346, ALL WHICH SECURE THE SAME DEBT AS SAID DEED OF TRUST),** in the Register's Office for **DAVIDSON** County, Tennessee; and

IF applicable the notice required by T.C.A. 35-5-101 et seq. having been met and whereas, **J. PHILLIP JONES AND JESSICA D. BINKLEY,** either of whom may act, were appointed Substitute Trustee under said Deed of Trust by instrument of record in **INSTRUMENT NO. 20130716-0073218** in the Register's Office for **DAVIDSON** County, Tennessee; I, **J. PHILLIP JONES,** Substitute Trustee, at the request of the holder of said indebtedness, and under and by virtue of the powers vested in me as such Substitute Trustee in said Deed of Trust advertised the said real estate as required by law, and by the terms of said Deed of Trust by giving twenty-one (21) days notice by three (3) successive publications, namely: **JULY 26, 2013/ AUGUST 2, 2013/ AUGUST 9, 2013** in **DAVIDSON A.M.,** a newspaper of general circulation in **DAVIDSON** County, Tennessee, said sale to be for cash and in bar of the equities of redemption, dower and homestead, as provided in said Deed of Trust.

PURSUANT to said advertisement on **FRIDAY, SEPTEMBER 6, 2013 AT 3:00 P.M., ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK) OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE,** individually or by and through his agent as said Substitute Trustee, offered for sale at public outcry to the highest and best bidder, the real estate hereinafter described for cash and in bar of the herein above mentioned equities as provided in said Deed of Trust, at which time **BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 5TH FLOOR MERRICK PARK PLAZA, 4425 PONCE DE LEON BLVD, CORAL GABLES, FL 33146,** submitted the highest and best bid in the amount of **$ 297,000.00**

NOW THEREFORE, in consideration of the premises, I, **J. PHILLIP JONES,** Substitute Trustee, do hereby sell, transfer and convey to **BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY,** its successors and assigns in fee simple, and in bar of all equities above mentioned, the following described real property, towit:

PROPERTY LOCATED IN THE COUNTY OF DAVIDSON, TENNESSEE:

BEING A TRACT OF LAND IN DAVIDSON COUNTY, TENNESSEE, AND FURTHER DESCRIBED AS FOLLOWS TO WIT:

FRONTING APPROXIMATELY 100 FEET ON THE WESTERLY SIDE OF GALLATIN ROAD AT THE SOUTHWEST CORNER OF THE INTERSECTION OF GALLATIN ROAD AND MAPLEWOOD, FORMERLY MASONIC HOME ROAD, AND EXTENDING BACK FROM GALLATIN ROAD ALONG THE SOUTHERLY SIDE OF MAPLEWOOD ROAD BETWEEN PARALLEL LINES APPROXIMATELY 175 FEET; THE EASTERLY 125 FEET OF SAID PROPERTY IS MORE PARTICULARLY DESCRIBED IN A DEED TO ROBERT C. MCADAMS DATED SEPTEMBER 29, 1932, FROM G.W. ALLEN AND WIFE, REBECCA R. ALLEN, OF RECORD IN BOOK 913, PAGE 380, SAID REGISTER'S OFFICE, WITH RESPECT TO WHICH THERE IS A DEED OF CORRECTION FROM SAID ALLENS TO ROBERT G. MCADAMS, DATED SEPTEMBER 22, 1932, OF RECORD IN BOOK 921, PAGE 24, SAID REGISTER'S OFFICE, BY WHICH CORRECTION WAS MADE IN THE DESCRIPTION OF A PIPELINE EASEMENT AND THE USE OF A SPUR TRACT, AND THEREIN HEREBY CONVEYED ALL RIGHTS, EASEMENTS, ETC. CONVEYED TO ROBERT G. MCADAMS BY SAID DEED AND DEED OF CORRECTION FROM SAID ALLENS, WHICH ROBERT G. MCADAMS OWNED AT THE TIME OF HIS DEATH. THE WESTERLY 50 FEET OF SAID PROPERTY WAS VESTED IN ROBERT G. MCADAMS BY DECREES OF THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE, OF RECORD IN MINUTE BOOK 57, PAGE 351, AND MINUTE BOOK 58, PAGE 381, IN THE OFFICE OF THE CLERK AND MASTER OF SAID COURT, WHICH DECREES ARE ALSO OF RECORD IN BOOK 1975, PAGE 87, REGISTER'S OFFICE AND WHICH DESCRIBED SAID 50 FEET AS FOLLOWS:

A TRACT OF LAND IN THE 11TH FORMERLY 18TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, AND BEING PART OF THE MAPLEWOOD LAND, DESCRIBED ACCORDING TO A SURVEY MADE BY E.R. SOUTHAGE AND SONS, SURVEYORS, MAY 8, 1946, AS FOLLOWS:

BEGINNING ON THE SOUTHERLY MARGIN OF MAPLEWOOD, FORMERLY MASONIC HOME ROAD, 125 FEET ON THE WESTERLY MARGIN OF GALLATIN ROAD, SAID POINT BEING THE SOUTHWEST CORNER OF THE FIRST TRACT OF LAND CONVEYED TO ROBERT G. MCADAMS BY DEED FROM G.W. ALLEN AND WIFE, OF RECORD IN BOOK 913, PAGE 380, REGISTER'S OFFICE FOR SAID COUNTY; THENCE WITH THE SOUTHERLY MARGIN OF MAPLEWOOD ROAD WESTWARDLY 50 FEET; THENCE SOUTHWARDLY 100 FEET; THENCE EASTWARDLY 50 FEET; THENCE SOUTHWARDLY 100 FEET; THENCE EASTWARDLY 50 FEET TO AN IRON PIN; MCADAMS SOUTHWEST CORNER; THENCE WITH HIS WESTERLY LINE NORTHWARDLY 100 FEET TO THE BEGINNING.

BEING THE SAME PROPERTY CONVEYED TO IN TOUCH PAGING SERVICE, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, BY DEED DATED OCTOBER 2, 1997 OF RECORD IN BOOK 10635, PAGE 51, CORRECTED IN INSTRUMENT OF CORRECTION IN INSTRUMENT NO. 20020916-0112355, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

SUBJECT TO THE RIGHT OF REDEMPTION OF THE TENNESSEE DEPARTMENT OF REVENUE.

THIS IS IMPROVED COMMERCIAL PROPERTY KNOWN AS 3403/3405 GALLATIN PIKE, NASHVILLE, TN 37216 (A/K/A 3403/3405 GALLATIN ROAD, NASHVILLE, TN 37216).

I, **J. PHILLIP JONES**, Substitute Trustee, convey to **BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, all the rights conveyed tome as said Substitute Trustee in said Deed of Trust, including such covenants and warranties as I, as such Substitute Trustee, may lawfully make, allmy actions in the premises being solely as Substitute Trustee and not otherwise under the power vested in me under said Deed of Trust herein above referred to and not as an individual.

Witness my hand and official seal at Nashville, Tennessee, on **SEPTEMBER 6, 2013**.

J. PHILLIP JONES
Substitute Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, **J. PHILLIP JONES**, Substitute Trustee, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office at Nashville, Tennessee on **SEPTEMBER 6, 2013**.

Notary Public

My Commission Expires: 10·18·16

JESSICA BINKLEY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires October 18, 2016

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $ 292,000 cs

Affiant

Subscribed and sworn to before me, this **6TH day of SEPTEMBER, 2013.**

Notary Public

My Commission Expires: 10·18·16

JESSICA BINKLEY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires October 18, 2016

RETURN TO:
J. PHILLIP JONES
1800 HAYES STREET
NASHVILLE, TN 37203

Law Office
Of
J. PHILLIP JONES

J. Phillip Jones
Jessica D. Binkley

1800 Hayes Street
Nashville, TN 37203
www.phillipjoneslaw.com

Phone (615) 254-4430
Fax (615) 254-4671

July 25, 2013

HAND DELIVERED

Tennessee Department of Revenue
500 Deadrick Street
Nashville, TN 37242

Re: Borrower/Taxpayer: IN TOUCH PAGING SERVICE, LLC
Entity ID No. 001 XX-XXX-9410
Foreclosure Sale Date: **SEPTEMBER 6, 2013**
Property: 3403/3405 GALLATIN PIKE
NASHVILLE, TN 37216
(A/K/A 3403/3405 GALLATIN ROAD
NASHVILLE, TN 37216)

Dear Sir or Madam:

This will serve as notification to the Department that real property and improvements which are affected by a Tax Lien referred to above will be sold at a foreclosure sale being conducted on behalf of the first mortgage holder to the highest bidder on **FRIDAY, SEPTEMBER 6, 2013 AT 3:00 P.M., ON THE SECOND FLOOR MEZZANINE (ENTER THE FRONT DOOR FACING THE NEW PUBLIC SQUARE PARK) OF THE HISTORIC DAVIDSON COUNTY COURTHOUSE, ONE PUBLIC SQUARE, IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE,.** The property is more particularly described in the attached documentation.

Please find the following attached:

1. Copy of the Tax Lien;
2. Copy of the Deed of Trust being foreclosed; and
4. Copy of the Notice of Publication.

The approximate outstanding balance of the Promissory Note which is secured by the Deed of Trust being foreclosed is **$323,991.33**. This amount includes an unpaid principal balance of **$309,785.71,** plus accrued interest, late charges, escrow advance, securing and protection expenses and/or attorney's fee which combined total approximately **$14,205.62**. The holder of the indebtedness expects to bid the total outstanding balance, but it reserves the right to bid less if circumstances justify in order to preserve a deficiency.

Please forward your acknowledgment of this Notice to the above stated address. If you have any questions or require anything further, please do not hesitate to contact me.

Sincerely,

J. PHILLIP JONES, ATTORNEY

J. Phillip Jones IV

JPJ/jf
Enclosures
RECEIVED BY: Eddie White
DATE: 8-6-13

Hand Delivered
8-6-13 10:10a.m.

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

August 7, 2013

J. Philip Jones
1800 Hayes Street
Nashville, TN 37203

Re: Foreclosure Sale of Property Owned by: **In Touch Paging Service, LLC**
Entity Number: **001 62-1619410/000**
Prop Address: 3403/3405 Gallatin Pike, Nashville, TN 37216

This is in reference to your letter dated July 25, 2013 concerning a foreclosure sale of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of **September 6, 2013** is **$17,159.29**. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation. I trust that this has answered your letter, but if not, please let me know.

Lori S. Fernandez, Account Technician I, Lien Desk 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/bt
c: *file*