THIS INSTRUMENT PREPARED BY:
India Samuels
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566

S&K:12-044447

BILL GARRETT, Davidson County
Trans:T20130081626 DEEDTRS
Recvd: 09/20/13 10:17 8 pgs
Fees:43.00 Taxes:182.04
20130920-0099206

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated October 30, 2009, recorded in Instrument No. 20091102-0100926, in the Register's Office of Davidson County, Tennessee, Melanie Theodore Malloy and Tyreese Malloy, wife and husband conveyed to Wagon Wheel Title, 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 20130122-0006863, 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 June 18, 2013 at 12:00 PM, at which time it was announced the sale adjournment to be held on July 23, 2013 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on August 27, 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 Regal Homes, whose address is 290 Ed Harris Road, Ashland City, TN 37015, at and for the sum of $49,200.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Regal Homes, 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 Regal Homes 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 Regal Homes, ***subtrust_all pronouns*** 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:

> Land in Davidson County, Tennessee, being the southerly 45 feet of Lot No. 52 on the Plan of Eastmoreland Place, of record in Book 161, page 170, Register's Office for Davidson County, Tennessee.
>
> Said part of Lot No. 52 fronts 45 feet on the westerly side of Meridian Street and runs back between parallel lines 140 feet to an alley.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20091102-0100926, 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. 20091102-0100926, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20091102-0100925, 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 Regal Homes, ***subtrust_all pronouns*** 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 11 day of September, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 11th day of September, 2013, 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
JANUARY 05, 2015

My commission expires: _____ Notary Public

MARGO RICHARDSON
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 $49,200.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

GLENDA S. SHADLIN
STATE OF TENNESSEE NOTARY PUBLIC
HENRY COUNTY, TENN.
My Commission Expires NOV 2, 2013

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

Nov 2, 2013
My commission expires: _____ Notary Public

PROPERTY ADDRESS: 1322 Meridian Street, Nashville, Tennessee 37207

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Regal Homes
290 Ed Harris Road, Ashland City, TN 37015

S&K File #12-044447 / WNI
Map & Parcel -071 15 0 063.00

RETURN TO:

_____

_____

_____

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

12-044447 / STD
9/10/2013 11:31 AM

0101645624

Affidavit of Publications

Newspaper: THE TENNESSEAN

State Of Tennessee

TEAR SHEET ATTACHED

Account Number: 529232

Advertiser: FORECLOSURE IN TN, A DIVISION

RE: 12-044447 Malloy

I, Lela Bates **Sales Assistant** for the above mentioned newspaper, hereby certify that the attached advertisement appeared in said newspaper on the following dates:

4/22/2013 4/29/2013 5/6/2013

Lela Bates

1

0101645624

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on June 18, 2013 at 12:00 PM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Melanie Theodore Malloy and Tyreese Malloy, wife and husband, to Wagon Wheel Title, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Access National Mortgage Corporation on October 30, 2009 at Book n/a, Page n/a, Instrument No. 20091102-0100926; conducted by Shapiro & Kirsch, LLP having been appointed Substitute or Successor Trustee, all of record in the Davidson County Register's Office. Default has occurred in the performance of the covenants, terms, and conditions of said Deed of Trust and the entire indebtedness has been declared due and payable.

Party Entitled to Enforce the Debt: Owner of Debt: Wells Fargo Bank, NA

The following real estate located in Davidson County, Tennessee, will be sold to the highest call bidder:

Land in Davidson County, Tennessee, being the southerly 45 feet of Lot No. 52 on the Plan of Eastmoreland Place, of record in Book 161, page 170, Register's Office for Davidson County, Tennessee.

Said part of Lot No. 52 fronts 45 feet on the westerly side of Meridian Street and runs back between parallel lines 140 feet to an alley.

Street Address: 1322 Meridian Street, Nashville, Tennessee 37207

Parcel Number: 071 15 0 063.00

Current Owner(s) of Property: Melanie Theodore Malloy and Tyreese Malloy, wife and husband

The street address of the above described property is believed to be 1322 Meridian Street, Nashville, Tennessee 37207, 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 herein shall control.

SALE IS SUBJECT TO TENANT(S)' RIGHTS IN POSSESSION.

If applicable, the HB 3588 letter 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; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right 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.

This sale is subject to all matters shown on any applicable recorded plat any unpaid taxes; and any restrictive covenants, easements, or setback lines that may be applicable; any statutory right 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.

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.

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. 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 by the Substitute Trustee at any time.

This office may be a debt collector. This may be an attempt to collect a debt and any information obtained may be used for that purpose.

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
Fax (901)761-5690
File No. 12-044447

APR. 18. 2013 2:49PM NO. 069 P. 9

Department of Defense Manpower Data Center

Results as of : Aug-28-2013 05:00:35

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: MALLOY
First Name: TYREESE
Middle Name:
Active Duty Status As Of: Aug-28-2013

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 : Aug-28-2013 05:00:08

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: MALLOY

First Name: MELANIE

Middle Name: THEODORE

Active Duty Status As Of: Aug-28-2013

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

PACER Case Locator

Bankruptcy Party Search
Tue Sep 10 21:24:53 2013
No Records Found

User: sk0111 P
Client:
Search: Bankruptcy Party Search 040705928 All Courts Page: 1

No records found

Receipt 09/10/2013 21:24:54 104366373

User sk0111 P
Client
Description Bankruptcy Party Search
040705928 All Courts Page: 1
Pages 1 ($0.10)

PACER Case Locator

Bankruptcy Party Search
Tue Sep 10 21:24:37 2013
No Records Found

User: sk0111 P
Client:
Search: Bankruptcy Party Search 595707964 All Courts Page: 1

No records found

Receipt 09/10/2013 21:24:38 104366357

User sk0111 P
Client
Description Bankruptcy Party Search
595707964 All Courts Page: 1
Pages 1 ($0.10)