BILL GARRETT, Davidson County
Trans:T20130081682 DEEDTRS
Recvd: 09/20/13 10:51 9 pgs
Fees:48.00 Taxes:680.80
20130920-0099256

PREPARED BY AND RETURN TO:
Mildred Coleman
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
Fax (901)761-5690

S&K:10-012833

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 2, 2005, recorded in Instrument No. 20050826-0102122, in the Register's Office of Davidson County, Tennessee, John L. Lowery, a single person conveyed to Rudy 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 20130730-0079179, 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 September 5, 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, whose address is Nationstar Mortgage, LLC, 350 Highland Dr., Lewisville, Texas 75067, at and for the sum of $184,000.00, that being the highest and best bid offered; 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement 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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Old Hickory, County of Davidson, State of Tennessee, to-wit:

> Being Lot No. 102 on the Plan of Brandywine Farms, Section II, as of record in Book 3700, Page 28, Register's Office for said County, to which plan reference is here made for complete description of said lot.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20050826-0102122, 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. 20050826-0102122, in the Register's Office of Davidson County, Tennessee.

The last deed of record is QuitClaim Deed recorded in Instrument Number 20050826-0102124, 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.

This conveyance is subject to the right of the United States of America to redeem the land as provided for in 26 U.S.C. 7425 (d) (1). Attached hereto is a copy of the notice thus provided and a copy of the written response of the United States to the notice thus provided, if any.

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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, 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 12 day of September, 2013.

Shapiro & Kirsch, LLP

By: _____

Philip Brooks

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 12th 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:

Kelly Lipford
Notary Public

KELLY LIPFORD 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 $184,000.00, 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:

Kelly Lipford
Notary Public

KELLY LIPFORD STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

PROPERTY ADDRESS: 214 Rising Sun Lane, Old Hickory, Tennessee 37138

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement
350 Highland Dr.
Lewisville, Texas 75067

S&K File #10-012833 / CXE
Map & Parcel -054 14 0 040.00

COST OF PUBLICATION

First Insertion [redacted]
Second Insertion [redacted]
Third Insertion [redacted]
Total [redacted]

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **September 5, 2013 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 L. Lowery, a single person, to Rudy Title, Trustee, on August 2, 2005 at Instrument No. 20050826-0102122; all of record in the Davidson County Register's Office.

Party entitled to enforce security interest: The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, its successors and assigns.

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:

Being Lot No. 102 on the Plan of Brandywine Farms, Section II, as of record in Book 3700, Page 28, Register's Office for said County, to which plan reference is here made for complete description of said lot.

Street Address: 214 Rising Sun Lane, Old Hickory, Tennessee 37138

Parcel Number: 054 14 0 040.00

Current Owner(s) of Property: John L. Lowery, unmarried, and Angela Peach, unmarried, as joint tenants with right of survivorship

Other Interested parties: Midland Funding LLC assignee of Capital One Bank c/o Steven F. Glaser, Esq., Fulton, Friedman, Gullace, LLP and Internal Revenue Service

The street address of the above described property is believed to be 214 Rising Sun Lane, Old Hickory, Tennessee 37138, 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.

Notice of this Substitute Trustee's Sale has been timely given to the United States as required by 26 U.S.C. § 7425(b).

Terms of Sale will be public auction, for cash, free and clear of rights of homestead, redemption and dower, and the rights of John L. Lowery, a single person, and those claiming through them; and subject to the right of redemption by the DEPARTMENT OF TREASURY, INTERNAL REVENUE SERVICE by reason of tax lien of record in Instrument Number 20091118-0105079; Instrument Number 20091118-0105080 at the Register's Office of Davidson County, Tennessee, subject to any accrued taxes and restrictions.

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
Fax (901)761-5690

File No. 10-012833
July 26, Aug. 2, 9, 2013 FII19603

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:

July 26, 2013
August 2, 2013
August 9, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **9th** day of **August 2013,** the individual above appeared before me, personally known (or proved to me on the basis of satisfactory evidence), who, being by me duly sworn did say that she is an authorized agent of the corporation (or association) of The Westview Newspaper, LLC, that the 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.

WITNESS my hand and Official Seal at office this **9th day of August 2013.**

_____
Notary Public

FIT

Department of Defense Manpower Data Center

Results as of : Aug-29-2013 05:06:17

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: PEACH
First Name: ANGELA
Middle Name:
Active Duty Status As Of: Aug-29-2013

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-29-2013 05:05:37

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: LOWERY

First Name: JOHN

Middle Name: L.

Active Duty Status As Of: Aug-29-2013

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

Gerald M. Shapiro
Admitted in Illinois & Florida
Joe M. Kirsch, Managing Partner
Admitted in Tennessee
Sharon N. Pewell, Managing Attorney
Admitted in Arkansas & Tennessee
Ashley M. Jones
Admitted in Arkansas & Tennessee
Bonnie B. Culp
Admitted in Tennessee



Shapiro and Kirsch, LLP
ATTORNEYS AT LAW

Robert Schneider
Admitted in Tennessee
Matthew W. Graves
Admitted in Arkansas Federal Courts, Kentucky & Tennessee
Leigh Skorupa
Admitted in Tennessee
Philip Brooks
Admitted in Tennessee
Michael A. Dennie
Admitted in Mississippi & Tennessee
Bridget Cole
Admitted in Tennessee

July 25, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
(RECEIPT # 7196 9008 9111 9231 0801)

Internal Revenue Service
Area Director - Compliance
Attn: Technical Support - P. Jackson
801 Broadway - MDP 53
Nashville, TN 37203

Attention: P. Jackson

Dear Sir:

The undersigned, Substitute Trustee, under that certain purchase money Deed of Trust from John L. Lowery, a single person to Rudy Title, Trustee, dated August 2, 2005, recorded in the Register's Office of Davidson County, Tennessee, in Instrument No. 20050826-0102122 has been requested by the noteholder, The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-AA9, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, to sell the security pursuant to the terms of the obligation secured thereby and notice of the proposed sale is hereby given pursuant to Section 7425 of the Internal Revenue Code of 1954.

Enclosed please find a copy of the Notice of Federal Tax Liens recorded in Instrument Number 20091116-0105079; Instrument Number 20091116-0105080, in the Register's Office of Davidson County, TN.

With respect to the property to be sold, the following information is hereby given:

(a) The description of the property is affected by the Notice, as listed in the deed and Deed of Trust recorded in the aforesaid Register's Office Being Lot No. 102 on the Plan of Brandywine Farms, Section II, as of record in Book 3700, Page 28, Register's Office for said County, to which plan reference is here made for complete description of said lot.

(b) The proposed sale of the property, pursuant to the terms of the first Deed of Trust referred to above is to be held on **September 5, 2013 @ 10:00AM;** Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee.

The approximate amount of the principal obligation, including interest, secured by the lien of said Deed of Trust and description of the other expenses which may be charged against the sale proceeds are as follows:

Total Amount Due	$241,223.29
Attorney fees	$600.00
Advertisement	$450.00
Recording charges	$32.00
State tax	$799.61
TOTAL	$243,104.90

Enclosed is a copy of the Deed of Trust.

If your office is in need of further information, please advise.

Sincerely,

LAW OFFICES OF SHAPIRO & KIRSCH, LLP

Joe M. Kirsch

Enclosures
cc: Nationstar Mortgage, LLC

irs2.ltr
S&K #10-012833

3592

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
597794009

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

BILL GARRETT, Davidson County
Trans: T20090077666 LIENFIL
Recvd: 11/16/09 10:04 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20091116-0105079

Name of Taxpayer JOHN L LOWERY

Residence
611 COMMERCE ST STE 2602
NASHVILLE, TN 37203-3742

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2004	XXX-XX-7110	02/18/2008	03/20/2018	7669.12

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 7669.12

This notice was prepared and signed at NASHVILLE, TN, on this,

the 10th day of November, 2009.

Signature R. A. Mitchell
for THERESA HARLEY

Title
ACS
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

3592

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
597794109

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

BILL GARRETT, Davidson County
Trans:T20090077666 LIENFIL
Recvd: 11/16/09 10:04 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20091116-0105080

Name of Taxpayer JOHN L & ANGELA K PEACH LOWERY

Residence 611 COMMERCE ST STE 2602
NASHVILLE, TN 37203-3742

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2005	XXX-XX-7110	02/18/2008	03/20/2018	7567.75
1040	12/31/2006	XXX-XX-7110	11/19/2007	12/19/2017	21262.72
1040	12/31/2007	XXX-XX-7110	11/24/2008	12/24/2018	7553.13
				Total	$ 36383.60

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

This notice was prepared and signed at NASHVILLE, TN, on this, the 10th day of November, 2009.

Signature K. A. Mitchell
for THERESA HARLEY

Title
ACS
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X