PREPARED BY AND RETURN TO:
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S&K:13-049050

Tennessee FHA

BILL GARRETT, Davidson County
Trans:T20130092100 DEEDTRS
Recvd: 10/28/13 10:14 4 pgs
Fees:22.00 Taxes:0.00
20131028-0111727

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated June 29, 2010, recorded in Instrument No. 20100709-0053950, in the Register's Office of Davidson County, Tennessee, Gary A. Clemmons, a single man conveyed to Watauga Title Company, Inc., 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 20130530-0054274, 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, the said property was by the undersigned, 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 July 23, 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 Wells Fargo Bank, NA, whose address is Wells Fargo Bank, NA, 3476 Stateview Blvd, MAC# X7801-013 (FC), Fort Mill, South Carolina 29715, at and for the sum of $85,800.00, that being the highest and best bid offered; and,

WHEREAS, the said Wells Fargo Bank, NA has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., his 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 Wells Fargo Bank, NA 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 Secretary of Housing and Urban Development, Washington, D.C., his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Madison, County of Davidson, State of Tennessee, to-wit:

Being Lot No. 8 on the Map of the Subdivision of the Beasley Property, Section One, not of record and described according to a survey thereof made by R.L. Montoya, dated July 11, 1977, as follows:

Beginning at a point in the north margin of Due West Avenue at the common front corner of Lots Nos. 7 and 8 on said Plan, said point being 557 feet, more or less, west of the intersection of Due West Avenue and Saunders Avenue; thence along said Due West Avenue South 83 deg. 30' 59" East 115.86 feet to an iron pin; said point being the common front corner of Lots 8 and 9; thence with the line between said lots 8 and 9 North 6 deg. 25' 00" East 349.86 feet to an iron pin said point being the common rear corner of Lots 7 and 8; thence with the line between said lots 7 and 8, 56 deg. 23' 41" West 349.86 feet to the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20100709-0053950, 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. 20100709-0053950, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed recorded in Instrument Number 20100709-0053949, 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.

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 Secretary of Housing and Urban Development, Washington, D.C., his 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 26th day of August, 2013.

Shapiro & Kirsch, LLP

By: _____

Michael A. Dennie

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 26th day of August, 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.

11-14-2015
My commission expires:

Notary Public

DOROTHY A. WILLIAMS
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY, TENN
My Comm. Expires November 14, 2015

TAX EXEMPT TRANSACTION
TCA CODE 67-4-409

PROPERTY ADDRESS: 412 West Due West Avenue, Madison, Tennessee 37115
SECONDARY PROPERTY ADDRESS: 412 Due West Avenue, Madison, TN 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

S&K File #13-049050 / WNI
Map & Parcel -051 07 0 024.00

0101681176

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on July 23, 2013 at 10:00AM local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Gary A. Clemmons, a single man, to Watauga Title Company, Inc., Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Primary Residential Mortgage, Inc. on June 29, 2010 at Instrument No. 20100709-0053950; 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: Wells Fargo Bank, NA

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

Described property located at Davidson County, Tennessee, to wit:

Being Lot No. 8 on the Map of the Subdivision of the Beasley Property, Section One, not of record and described according to a survey thereof made by R.L. Montoya, datad July 11, 1977, as follows:

Beginning at a point in the north margin of Due West Avenue at the common front corner of Lots Nos. 7 and 8 on said Plan, said point being 557 feet, more or less, west of the intersection of Due West Avenue and Saunders Avenue; thence along said Due West Avenue South 83 deg. 30' 59" East 115.86 feet to an iron pin; said point being the common front corner of Lots 8 and 9; thence with the line between said lots 8 and 9 North 6 deg. 25' 00" East 349.86 feet to an iron pin said point being the common rear corner of Lots 7 and 8; thence with the line between said lots 7 and 8, S6 deg. 23' 41" West 349.86 feet to the point of beginning.

Street Address: 412 West Due West Avenue, Madison, Tennessee 37115

Secondary Property Address: 412 Due West Avenue, Madison, TN 37115

Parcel Number: 051 07 0 024.00

Current Owner(s) of Property: Gary A. Clemmons, a single man

The street address of the above described property is believed to be 412 West Due West Avenue, Madison, Tennessee 37115, 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.

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. 13-019050

15

JUN. 17. 2013 10:36AM NO. 861 P. 20

Department of Defense Manpower Data Center

Results as of : Jul-24-2013 05:54:07

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CLEMMONS
First Name: GARY
Middle Name: A.
Active Duty Status As Of: Jul-24-2013

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