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
Fax (901)761-5690

Tennessee FHA
S&K:12-041734

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 15, 2006, recorded in Instrument No. 20060922-0117590, in the Register's Office of Davidson County, Tennessee, Teresa L. Hancock, unmarried and James S. Carney and Dorothy J. Carney, husband and wife conveyed to Archer Land 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 20121107-0102717, 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 Notice of the Right to Foreclose has been timely given in compliance with Tennessee Code Annotated §35-5-117.

WHEREAS, the holder requested the undersigned to advertise and 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 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 December 18, 2012 at 10:00 AM, at which time it was announced the sale adjournment to be held on February 5, 2013 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on April 16, 2013 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on May 21, 2013 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on June 18, 2013 at 10:00 AM, at which time it was announced the sale was further adjourned 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 $113,100.00, 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., 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 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., its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Pegram, County of Davidson, State of Tennessee, to-wit:

A certain tract or parcel of land in Davidson County, in the State of Tennessee, described as follows:

Land in the 9th Civil District, Davidson County, Tennessee, being Tract No. 22, shown as "Reserved" in the Plan of Travis & Lewis Land Company's Subdivision of Small Farms, not of record and described according to a copy of a survey made by John M. Sullivan, Engineer, dated May 11, 1957, as follows: Beginning at a point in the southerly margin of the Old Charlotte Pike the northeasterly corner of the subject tract; thence southwesterly along a fence line 872.9 feet to a point at the northeast corner of Tract No. 21 on said plan, the southeasterly corner of the subject tract; thence with the line between Tracts No. 22 and 21 westerly 288.2 feet to a point, the common southerly corners of the Tracts Nos 22 and 20; thence with the line between Tracts Nos 20 and 22,



North 688 feet to a point in the southerly margin of the Old Charlotte Pike; thence with said margin southerly margin of the Old Charlotte Pike: thence with said margin of said Pike North 80 deg. 48 mins. East 112.8 feet to a point; thence continuing with said margin of said Pike North 59 deg. 31 min. East 200 feet to a point; thence continuing with said margin of said Pike, North 49 deg 06 min. East 95.9 feet to the point of beginning.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20060922-0117590, 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. 20060922-0117590, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed, recorded in Instrument Number 20020430-0052695, 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.

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., 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 August, 2013.

Shapiro & Kirsch, LLP

By: _____

Philip Brooks

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 12th day of August, 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

HILARY MARTIN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

TAX EXEMPT TRANSACTION
TCA CODE 67-4-409

PROPERTY ADDRESS: 8449 Old Charlotte Pike, Pegram, Tennessee 37143

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 #12-041734
Map & Parcel -113 00 0 025.00

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on **December 19, 2012 at 10:00 AM local time,** at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee pursuant to Deed of Trust executed by Teresa L. Hancock, unmarried and James S. Carney and Dorothy J. Carney, husband and wife, to Archer Land Title, Trustee, as trustee for Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Franklin American Mortgage Company on September 15, 2006 at Instrument No. 20060922-0117590; 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 cash bidder:

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

A certain tract or parcel of land in Davidson County, in the State of Tennessee, described as follows:

Land in the 9th Civil District, Davidson County, Tennessee, being Tract No. 22, shown as "Reserved" in the Plan of Travis & Lewis Land Company's Subdivision of Small Farms, not of record and described according to a copy of a survey made by John M. Sullivan, Engineer, dated May 11, 1957, as follows: Beginning at a point in the southerly margin of the Old Charlotte Pike the northeasterly corner of the subject tract; thence southwesterly along a fence line 872.9 feet to a point at the northeast corner of Tract No. 21 on said plan, the southeasterly corner of the subject tract; thence with the line between Tract Nos. 22 and 21 westerly 288.2 feet to a point, the common southerly corners of the Tracts Nos 22 and 20; thence with the line between Tract Nos. 20 and 22, North 62° West to a point in the southerly margin of the Old Charlotte Pike; thence with said margin of said Old Charlotte Pike; thence with said margin of said Pike North 80 deg. 48 mins. East 112.8 feet to a point; thence continuing with said margin of said Pike North 59 deg. 31 min. East 170 feet to a point; thence continuing with said margin of said Pike, North 49 deg 06 min. East 65.9 feet to the point of beginning.

Street Address: 8449 Old Charlotte Pike, Pegram, Tennessee 37143

Parcel Number: 113 [illegible]

Current Owner(s) of Property: Teresa L. Hancock F/K/A Teresa L. Choate, a single woman

The street address of the above described property is believed to be 8449 Old Charlotte Pike, Pegram, Tennessee 37143, 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. 12-041734
Oct. 26, Nov. 2, 9, 2012 Fhl16341

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:

October 26, 2012
November 2, 2012
November 9, 2012

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 9th day of **November 2012,** 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.

14 **FIT**

Department of Defense Manpower Data Center

Results as of : Jul-24-2013 05:53:33

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: HANCOCK
First Name: TERESA
Middle Name: L.
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

Department of Defense Manpower Data Center

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

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CARNEY
First Name: JAMES
Middle Name: S.
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

Department of Defense Manpower Data Center

Results as of : Jul-24-2013 05:58:17

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CARNEY

First Name: DOROTHY

Middle Name: J.

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
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Arlington, VA 22 50