PREPARED BY AND RETURN TO:
Candice Rakowski
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566
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BILL GARRETT, Davidson County
Trans:T20130097807 DEEDTRS
Recvd: 11/18/13 10:41 4 pgs
Fees:22.00 Taxes:0.00
20131118-0118679

Tennessee FHA
S&K:12-034869

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated January 25, 2006, recorded in Instrument No. 20060203-0014027, in the Register's Office of Davidson County, Tennessee, Kevin Wayne Choate, an unmarried person conveyed to Emmett James House or Bill R. McLaughlin, 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 20121114-0104597, 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 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 February 14, 2013 at 12:00 PM, at which time it was announced the sale adjournment 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 July 2, 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 EverBank, whose address is EverBank, 301 West Bay Street, Jacksonville, Florida 32202, at and for the sum of $128,906.88, that being the highest and best bid offered; and,

WHEREAS, the said EverBank 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 EverBank 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 Nashville, County of Davidson, State of Tennessee, to-wit:

> Land in Davidson County, Tennessee, being unit No. 44, on the Plan of Nashboro Village, Tract 13, as of record in Instrument No. 20021230-0161681, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
>
> This property is subject to the restrictions in an instrument of record in Book 4827, page 14; the By-Laws of Parkside Villa's Homeowner's Association, Inc. of record in Instrument No. 20021211-0152727; the plan of record in Instrument No. 20021230-0161681; and any and all other matters as shown of record in the Register's Office of Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20060203-0014027, 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. 20060203-0014027, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 200501050001967 re-recorded in Instrument Number 200602030014026, 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 19th day of July, 2013.

Shapiro & Kirsch, LLP

By: _____

Michael A. Dennie

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 19TH day of July, 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.

PAMELA LOGSTON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
FEBRUARY 22, 2015

My commission expires: _____ Notary Public

NO TAX/GOVERNMENTAL AGENCY
TCA CODE 67-4-409

PROPERTY ADDRESS: 1911 Nashboro Boulevard Unit 44, Nashville, Tennessee 37217
SECONDARY PROPERTY ADDRESS: 1911 Nashboro Boulevard, Nashville, Tennessee 37217

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 #12-034869
Map & Parcel -135 12 0C 044.00

Department of Defense Manpower Data Center

Results as of : Jun-24-2013 06:09:24

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CHOATE
First Name: KEVIN
Middle Name: WAYNE
Active Duty Status As Of: Jun-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

0101619596

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on February 14, 2013 at 12:00PM 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 Kevin Wayne Choate, an unmarried person, to Emmett James House or Bill R. McLaughlin, Trustee, on January 25, 2006 at Instrument No. 20060203-0014027; all of record in the Davidson County Register's Office.

Owner of Debt: EverBank

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:

Land in Davidson County, Tennessee, being unit No. 44, on the Plan of Nashboro Village, Tract 13, as of record in Instrument No. 20021230-0161681, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

This property is subject to the restrictions in an instrument of record in Book 4827, page 14; the By-Laws of Parkside Villa's Homeowner's Association, Inc. of record in Instrument No. 20021211-0152727; the plan of record in Instrument No. 20021230-0161681; and any and all other matters as shown of record in the Register's Office of Davidson County, Tennessee.

Street Address: 1911 Nashboro Boulevard Unit 44, Nashville, Tennessee 37217

Secondary Property Address: 1911 Nashboro Boulevard, Nashville, Tennessee 37217

Parcel Number: 135 12 0C 044.00

Current Owner(s) of Property: Kevin Choate

The street address of the above described property is believed to be 1911 Nashboro Boulevard Unit 44, Nashville, Tennessee 37217, 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.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

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. 12-034869

JAN. 8. 2013 11:38AM NO. 558 P. 5/6

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