BILL GARRETT, Davidson County
Trans:T20130098829 DEEDTRS
Recvd: 11/21/13 09:03 2 pgs
Fees:12.00 Taxes:0.00
20131121-0119882

RETURN TO:
THIS INSTRUMENT PREPARED BY:
Weiss Spicer Cash, PLLC
Attorneys at Law
208 Adams Avenue
Memphis, Tennessee 38103-1991
901-526-8296

TENNESSEE/FHA
MAP: #95-5-B-2CO

JAMES SMITH
BANK OF AMERICA 199073531
FHA: #4834173372703

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 30, 2009, and recorded in REGISTER'S INSTRUMENT NO. 20090504-0040214, in the Register's Office of Davidson County, Tennessee, James C. Smith, a married man and wife, Barrie L. Smith, conveyed to Jonathan R. Vinson Trustee(s), 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 holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in REGISTER'S INSTRUMENT NO. 20130211-0014038 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 beneficiary requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request by said beneficiary, 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 February 26, 2013 at which time said sale was postponed and held on June 18, 2013, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Bridgestone Center, Davidson County, Tennessee; 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 BANK OF AMERICA, N.A., a corporation, at and for the sum of EIGHTY SEVEN THOUSAND THREE HUNDRED SIXTY AND NO/100'S DOLLARS, that being the highest and best bid offered; and,

WHEREAS, the said BANK OF AMERICA, N.A. has assigned its interests in the said property to THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF 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 BANK OF AMERICA, N.A. of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C., his 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. 2, AS SHOWN ON THE EXHIBIT TO THE DECLARATION AND COVENANTS, CONDITIONS AND RESTRICTIONS ESTABLISHING THE EASTHAVEN TOWNHOMES, A PLANNED UNIT DEVELOPMENT, OF RECORD IN INSTRUMENT 20010806-0083543 AND AMENDED IN INSTRUMENTS 20020709-0082357 AND 20031007-0147961, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION OF SAID UNIT.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

James C. Smith, a married man and wife, Barrie L. Smith, their HEIRS AND ASSIGNS, obtained title to the above referenced real estate by Deed of record in Register's Instrument No. 20090504-0040213, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

If the original Trustee's sale date was postponed in accordance with TCA 35-5-101(f), all announcements and notifications were made as required therein.

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 SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C., his successors and assigns, in fee simple forever, to whom the said ARNOLD M. WEISS, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

The said Substitute Trustee has applied the consideration as follows:

RECORDING APPOINTMENT OF SUBSTITUTE TRUSTEE	12.00
PUBLICATION EXPENSE	320.50
ATTORNEY'S FEES AND TRUSTEES FEES	600.00
CREDIT ON NOTE	86,427.50
	$87,360.00

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said ARNOLD M. WEISS, Substitute Trustee, on June 18, 2013 has hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On June 18, 2013, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared ARNOLD M. WEISS, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

NOTARY PUBLIC

DIXIE CHAMBERS STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 08-01-2016

My Commission Expires:

NO TAX

PROPERTY ADDRESS
2120 Lebanon Pike Apartment 2
Nashville, TN 37210-0000

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Department of HUD
Michaelson, Connor & Boul
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108-1837

STATE OF TENNESSEE - COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$********EXEMPT********EXEMPT********EXEMPT********
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, June 18, 2013
NOTARY PUBLIC
MY COMMISSION EXPIRES

DIXIE CHAMBERS STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 08-01-2016