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

Davidson County DEEDTRS Recvd: 12/12/13 07:53 5 pgs Fees:28.00 Taxes:262.29 **20131212-0125700**

S&K:13-049329

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 3, 2006, recorded in Instrument No. 20060809-0098243, in the Register's Office of Davidson County, Tennessee, Dale E. Smith, unmarried conveyed to American 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 20131021-0109573, 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 December 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 Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5, whose address is Select Portfolio Servicing, Inc., 3815 South West Temple, Salt Lake City, Utah 84115, at and for the sum of $70,889.33, 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 Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5 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 Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5, its 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:

> Land in the 11th Civil District of Davidson County, Tennessee, and being more particularly described as follows, to-wit:
>
> Being Lot No. 25, in Block "A" in the unrecorded Plan of Homeacres, as subdivided by Blanchard and Parrish on October 26, 1939. Said Lot No. 25 fronts 100 on the west side of Larkin Springs Road and runs back between lines 347.3 feet on the northerly line and 344 feet on the southerly line to the easterly line of Lot 16 on which it measures 100 feet.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20060809-0098243, 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. 20060809-0098243, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed recorded at Instrument No. 20060809-0098242, re-recorded at Instrument No. 20060830-0107249, 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.



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 Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5, 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 10th day of December, 2013.

Shapiro & Kirsch, LLP

By: _____

Michael A. Dennie

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 10th day of December, 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.

MY COMMISSION EXPIRES
DECEMBER 18, 2014
My commission expires:

_____
Notary Public

TIFFANY EVERLY
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 $70,889.33, 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
DECEMBER 18, 2014
My commission expires:

_____
Notary Public

TIFFANY EVERLY
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

PROPERTY ADDRESS: 608A Larkin Springs Road, Madison, Tennessee 37115
SECONDARY PROPERTY ADDRESS: 608 Larkin Springs Road, Madison, TN 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5
3815 South West Temple
Salt Lake City, Utah 84115

S&K File #13-049329
Map & Parcel -052-07-0-123.00

COST OF PUBLICATION

First Insertion
Second Insertion
Third Insertion
Total



SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on December 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 Dale E. Smith, unmarried, to American Title, Trustee, on August 3, 2006 at Instrument No. 20060809-0096243; all of record in the Davidson County Register's Office.

Party entitled to enforce security interest: Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley ABS Capital I Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5, its successors and assigns.

The following real estate located in Davidson County, Tennessee, will be sold to the highest cash bidder subject to all unpaid taxes, prior liens and encumbrances of record:

Land in the 11th Civil District of Davidson County, Tennessee, and being more particularly described as follows, to-wit:

Being Lot No. 25, in Block "A" in the unincorporated Plan of Homesites, as subdivided by Blanchard and Parish on October 26, 1939. Said Lot No. 25 fronts 100 on the west side of Larkin Springs Road and runs back between lines 347.3 feet on the northerly line and 344 feet on the southerly line to the easterly line of Lot 16 on which it measures 100 feet.

Street Address: 608A Larkin Springs Road, Madison, Tennessee 37115

Secondary Property Address: 608 Larkin Springs Road, Madison, TN 37115

Parcel Number: 052Q7-0 123.00

Current Owner(s) of Property: Dale E. Smith, an unmarried person

The street address of the above described property is believed to be 608A Larkin Springs Road, 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 referenced herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

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 you purchase a property at the foreclosure sale, the entire purchase price is due and payable at the conclusion of the auction in the form of a certified/bank check. No personal checks will be accepted. To this end, you must bring sufficient funds to satisfy the lender and any other holders. Insufficient funds will not be accepted. Amounts received in excess of the winning bid will be refunded to the successful purchaser at the time the foreclosure deed is delivered.

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.shapirokirsch.com
Law Office of Shapiro & Kirsch, LLP
655 Perkins Road Extended, Second Floor
Memphis, TN 38117
Phone (901)767-5556
Fax (901)761-5690

File No. 13049329
Nov. 1, 8, 15, 2013

FN29854

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, Dickson, Wilson, Robertson, Rutherford, Sumner and Montgomery counties in Tennessee, states that the hereto attached publication appeared in the NASHVILLE LEDGER on the following dates:

November 1, 2013
November 8, 2013
November 15, 2013

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

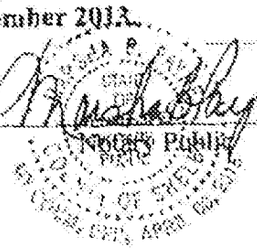
By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **15th** day of **November 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 **15th day of November 2013.**

_____
Notary Public



FIT

Department of Defense Manpower Data Center

Results as of : Dec-06-2013 04:46:13

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: SMITH
First Name: DALE
Middle Name: E.
Active Duty Status As Of: Dec-06-2013

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

I, Oscie Bonner, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee

County of Shelby

Personally appeared before me, Melissa Gilbert, a notary public for this county and state, (Oscie Bonner) who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

Notary's Signature

MY COMMISSION EXPIRES AUGUST 01, 2016

MY COMMISSION EXPIRES: _____

Notary's Seal (If on paper)

(3) All electronic documents eligible for registration pursuant to this subsection are validly registered when accepted for recording by the county register. Electric documents registered by county registers prior to July 1, 2007 shall be considered validly registered with or without the certification provided.

(4) No county register shall be required to accept document transmitted electronically.