PREPARED BY AND RETURN TO:
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S&K:12-033039

BILL GARRETT, Davidson County
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SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated July 20, 2009, recorded in Instrument No. 20090729-0070832, in the Register's Office of Davidson County, Tennessee, Randal T. Barkley, an unmarried man conveyed to FMLS, 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, 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 undersigned was appointed as Substitute Trustee by Instrument of record in instrument number 20120409-0030027, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, 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, in pursuance of said request the property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust, by publication in the Nashville Ledger, such advertisement appearing in said newspaper on August 24, 2012, August 31, 2012, and September 7, 2012, by which advertisement the sale was appointed to be held on September 25, 2012, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee, at 10:00 AM; 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 and following such notice the default was not cured.

WHEREAS, the Substitute Trustee has conducted a diligent search of the Defense Manpower Data Center (DMDC) website for each known Borrower in compliance with the Service Members Civil Relief Act, and as such the foreclosure of this property is not subject to the provisions of 50 U.S.C. § 501, *et seq.*; 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 Regions Bank DBA Regions Mortgage, whose address is Regions Mortgage, 7130 Goodlett Farms Parkway, A4W, Cordova, Tennessee 38016, at and for the sum of $97,583.94, that being the highest and best bid offered; and,

WHEREAS, the purchaser 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 Regions Bank DBA Regions Mortgage 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 Regions Bank DBA Regions Mortgage, 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:

The land referred to in this Commitment is described as follows:

Land in Davidson County, Tennessee, being Lot No. 106 on the Plan of Sunrise Heights Addition, of record in Plat Book 421, page 2, Register's Office for said County, to which plan reference is hereby made for a more complete legal description.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20090729-0070832, 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. 20090729-0070832, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded at Instrument Number 200110220114938, 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.

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 Regions Bank DBA Regions Mortgage, 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 21 day of January, 2014.

Shapiro & Kirsch, LLP

By: _____

Ashley M. Jones

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 21st day of January, 2014, before me, a Notary Public, in and for said State and County, personally appeared Ashley M. Jones, 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

JAMIE LANGSTON 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 $97,583.94, 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
JANUARY 05, 2015

My commission expires: _____ Notary Public

JAMIE LANGSTON STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY

PROPERTY ADDRESS: 409 Elgin Street, Nashville, Tennessee 37211

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Regions Bank DBA Regions Mortgage
7130 Goodlett Farms Parkway
A4W
Cordova, Tennessee 38016

S&K File #12-033039 / UPN
Map & Parcel -133 02 0 228.00