RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Herman W. Killebrew, III

GRANTEE(s)
Hank Huynh and Khue Minh Le

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

BILL GARRETT, Davidson County
Trans:T20140017685 DEEDTRS
Recvd: 03/17/14 10:57 6 pgs
Fees:33.00 Taxes:214.60
20140317-0021805

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated September 4, 2003 and recorded September 22, 2003, as Instrument No. 20030922-0139439 in the Register's Office of Davidson County, Tennessee, Herman W. Killebrew, III conveyed to Leon Sharber, as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns, 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, Wells Fargo Bank NA has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on December 27, 2013 as Instrument No. 20131227-0130285 in the Register's Office of Davidson County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness and the performance of said obligations thereby secured to be paid and performed, and Wells Fargo Bank NA has requested said Successor 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 by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on December 20, 2013 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on February 13, 2014 at the Schermerhorn Symphony Center, One Symphony Place, Nashville, TN 37201 in Nashville, Tennessee, 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 Hank Huynh and Khue Minh Le, at and for the sum of $58,000.00, 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 Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Hank Huynh and Khue Minh Le of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to the said Hank Huynh and Khue Minh Le, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being Lot Number 13 on the Plan of West Park Subdivision 5th Addition of record in Book 3500, Page 94, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and detailed description, said Lot Number 13 fronts 50 feet on the Northeasterly margin of Terry Drive and runs 120 feet between parallel lines to a 50 foot rear line.
>
> Being the same property conveyed to Herman W. Killebrew, III by Warranty Deed recorded September 22, 2003 , as Instrument No. 20030922-0139438, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 6118 Terry Drive, Nashville, Tennessee 37209.
>
> Tax Parcel No.: 091-01-0 70.00

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto Hank Huynh and Khue Minh Le, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this

18 day of Feb., 2014.

Wilson & Associates, PLLC

By: _____
Kristin A. Camp
Wilson & Associates, PLLC
TN Bar #30689

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 18 day of Feb, 2014.

BRITTANY SIMS Comm. No. 12390928 NOTARY PUBLIC My Comm. Exp. 10-12-2022 SALINE CO., ARKANSAS

_____
Notary Public

My Commission Expires: 10/12/22

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $$58,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

EXECUTED on this 17 day of Mar, _____

_____
Hank Huynh and Khue Minh Le

ACKNOWLEDGMENT

STATE OF Tennessee

COUNTY OF Williamson

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Hank Huynh and Khue Minh Le, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

Witness my hand and seal at office in Franklin, TN this 17th day of March, 2014.

_____
Notary Public

My Commission Expires: June 23, 2014

ELI GOULD STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY

My Commission Expires June 23, 2014

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Hank Huynh and Khue Minh Le
761 Cedarcrest DR. Nashville TN 37209
FHA No. 483-3361101-703

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who states as follows:

1. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated September 4, 2003, recorded September 22, 2003, as Instrument No. 20030922-0139439 in the Register's Office of Davidson County, Tennessee, executed by Herman W. Killebrew, III in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns.

2. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least twelve (12) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed, and therefore enforcement of the same is not subject to the provisions of the SCRA. See attached Department of Defense, DMDC status report.

3. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C. §501, *et seq.* (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 19 day of Feb., 2014.

Wilson & Associates, PLLC

By: _____

Kristin A. Camp, Attorney
Wilson & Associates, PLLC
TN Bar #30689

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Kristin A. Camp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 18 day of Feb, 2014.

Notary Public

My Commission Expires: 10/12/22

BRITTANY SIMS Comm. No. 12390928 NOTARY PUBLIC My Comm. Exp. 10-12-2022 SALINE CO., ARKANSAS

FHA No. 483-3361101-703
DServiceMembersAffidavitTN_lsmith_140213_1618

Department of Defense Manpower Data Center

Results as of : Feb-17-2014 07:15:08 AM

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: KILLEBREW

First Name: HERMAN

Middle Name:

Active Duty Status As Of: Feb-17-2014

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.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

COST OF PUBLICATION

First Insertion	**$210.00**
Second Insertion	**210.00**
Third Insertion	**210.00**
Total	**$630.00**

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated September 4, 2003, and the Deed of Trust of even date securing the same, recorded September 22, 2003, as Instrument No. 20030922-0139439 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Herman W. Killebrew, III, conveying certain property therein described to Leon Sharber as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, **on February 13, 2014 on or about 10:00 A.M., at the Schermerhorn Symphony Center, One Symphony Place, Nashville, TN 37201, Nashville, Tennessee**, offer for sale certain property hereinafter described to the highest bidder FOR certified funds paid at the conclusion of the sale, or credit bid from a bank or other lending entity pre-approved by the successor trustee. The sale is free from all exemptions, which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Being Lot Number 13 on the Plan of West Park Subdivision 9th Addition of record in Book 3800, Page 94, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and detailed description. said Lot Number 13 fronts 80 feet on the Northwesterly margin of Terry Drive and runs 120 feet between parallel lines to a 50 foot rear line.

ALSO KNOWN AS: 5118 Terry Drive, Nashville, Tennessee 37209

This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a future filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: **Herman W. Killebrew, III**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. 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. **WA No. 1286-78128**

DATED December 13, 2013

WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee

FOR SALE INFORMATION, VISIT WWW.AUCTION.COM

Dec. 20, 27, 2013 Jan. 3, 2014 RI21023

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:

December 20, 2013
December 27, 2013
January 3, 2014

THE WESTVIEW NEWSPAPER, LLC dba/ NASHVILLE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 3rd day of **January 2014**, 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 3rd day of **January 2014.**

_____
Notary Public

FPS

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