This Instrument Prepared By:
Jon D. Curtis
Attorney at Law
2020 Fieldstone Parkway
Suite 900-92
Franklin, Tennessee 37069

BILL GARRETT, Davidson County
Trans:T20140019787 DEEDTRSMD
Recvd: 03/25/14 11:16 5 pgs
Fees:28.00 Taxes:36.45
20140325-0024373

FROM: JON D. CURTIS, SUCCESSOR TRUSTEE

TO: Caldwell Court Condominium Association Inc.
c/o Cathy Watry
P.O. Box 1280
Goodlettsville, Tennessee
37070

Foreclosure of property
owned by:
Walter F. Whitmore

Map No. 147 02 0B
Parcel No. 007.00

Send Tax Bills To: Caldwell Court Condominium Association, Inc.

SUCCESSOR TRUSTEE'S DEED

WHEREAS, by Master Deed Establishing Caldwell Court Condominium Association, (hereinafter, the "Master Deed"), of record in Book 6188, Page 744, Register's Office for Davidson County, Tennessee, Town and Country Properties, Inc. (a Tennessee Corporation), submitted and subjected all of the land and units described therein to all of the provisions, covenants, conditions and restrictions set forth in said Master Deed, and

WHEREAS, Caldwell Court Condominium Association, is the duly created Association and governing body for the owners of all of the units subjected to said Master Deed, and

WHEREAS, the said Master Deed created a lien in favor of Caldwell Court Condominium Association, for assessments for common expenses duly levied against the units subjected to said Master Deed, and

WHEREAS, for the limited purpose of enforcement of said lien, all of the property subjected to the said Master Deed was transferred and conveyed unto Stephen C. Baker, his successors and assigns, reserving a Power of Substitution exercisable by the owner and holder of the above described lien (i.e. Caldwell Court Condominium Association), all as set forth in the said Master Deed, and

WHEREAS, Arthur K. Lowen, was duly appointed Successor Trustee in an instrument of record as Instrument No. 20080625-0065590, Register's Office for Davidson County, Tennessee, and

WHEREAS, the undersigned, Jon D. Curtis, was duly appointed Successor Trustee in an instrument of record as Instrument No. 20130212-0014369, Register's Office for Davidson County, Tennessee, and

WHEREAS, there occurred a default with respect to the obligation to pay assessments for common expenses with regard to a certain unit subject to the said Master Deed and lien, and described hereinbelow, and,

WHEREAS, Caldwell Court Condominium Association, the owner and holder of the said lien, demanded payment of the delinquent assessments as to the said unit, and payment was not made, and the said Caldwell Court Condominium Association directed that said property be sold pursuant to the provisions of the Master Deed, and,

WHEREAS, in pursuance of said directive by said lien holder, the said condominium unit was, by the undersigned, advertised for sale as required by law and in conformity with the terms and provisions of said Master Deed, by three (3) successive weekly publications appearing in The Nashville Scene, a newspaper published and circulated in Davidson County, Tennessee, the first such publication having appeared at least twenty (20) days previous to the sale. Pursuant to the said advertisement, the sale was held on the date and at the time and place advertised, to wit: 11:00 AM on March 4, 2014, at the Main Entrance (South Entrance) to the Davidson County Courthouse, 1 Public Square, Nashville, Davidson County, Tennessee 37201, the said unit being then and there offered for sale to the highest bidder for cash, at public outcry.

The GRANTEE herein, Caldwell Court Condominium Association, being the highest and best bidder at said sale with a bid of Nine Thousand Eight Hundred and Fifty and 98/100 ($9,850.98) Dollars, was duly declared the purchaser.

NOW, THEREFORE, in consideration of the premises and in further consideration of Nine Thousand Eight Hundred and Fifty and 98/100 ($9,850.98) Dollars, paid by the GRANTEE, the receipt of which is hereby acknowledged, I, Jon D. Curtis, Successor Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto the GRANTEE, Caldwell Court Condominium Association, Inc. its successors and assigns, the folbwing property in Davidson County, Tennessee, to wit:

> LAND in Davidson County, Tennessee, being Unit A-107, of Caldwell Court Condominium created under Title 66, Chapter 27, Section 101, et seq, as amended Tennessee Code Annotated as established by Master Deed, of record in Book 6188, Page 744, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to the said Unit as set forth in Exhibit A-1 of said Master Deed. Reference is hereby made to the Plat of Caldwell Court Condominium set forth in Exhibit A-2 of said Master Deed for a more complete identification and description of such Unit
>
> Being the same property conveyed to Walter F. Whitmore by Quitclaim deed from the Resolution Trust Corporation as Receiver of Metropolitan Federal Savings and Loan Association, F.A., dated August 17th, 1992, of record in Book 8751, Page 12, Register's Office for Davidson County, Tennessee
>
> This is improved property commonly known as 550 Harding Place, Unit A-107, Nashville, Tennessee 37211.
>
> The foregoing description is the same as that contained in the previous Deed of Record with respect to this property, no boundary survey having been made in connection with this conveyance.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Caldwell Court Condominium Association, its successors and assigns, forever, as fully and completely as the Successor Trustee can or ought to convey under the power vested in the Successor Trustee under the said Master Deed. However, the GRANTOR conveys as Successor Trustee only, and not further or otherwise.

This conveyance is made subject to all matters shown on any applicable recorded plan; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any applicable statutory rights of redemption of any previous owner and/or any governmental agency, State or Federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and subject to any matter

that an accurate survey of the premises might disclose. This conveyance is expressly subject to the Master Deed as set forth hereinabove.

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

IN WITNESS WHEREOF, the said Jon D. Curtis, Successor Trustee, has hereunto set his hand and seal on this 24 day of March, 2014.

Jon D. Curtis
Successor Trustee

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Jon D. Curtis, Successor Trustee, the Bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 24 day of March, 2014.

Donna M. Holt
Notary Public

DONNA M. HOLT STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires:

5/26/14

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The actual consideration or value, whichever is greater, for this transfer, is Nine Thousand Eight Hundred and Fifty and 98/100 ($9,850.98) Dollars

Affiant

Sworn to and subscribed before me this 24 day of March, 2014.

Donna M. Holt
Notary Public

DONNA M. HOLT STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires:

5/26/14

Exhibit A

Nashville Scene

Affidavit of Publication

State of Tennessee

County of Davidson

I, Kim Stangenberg, for The Nashville Scene ,
a weekly newspaper published and distributed in
the aforementioned county and state, hereby certify
that the attached advertisement appeared in Nashville Scene.

Feb 6, 13, 20, 2014
Date of publication

Kimberly P. Stangenberg
Subscribed and sworn to before me,

This 20, day of Feb. 2014.

Dorothy Cheeney
Notary Public

DOROTHY CHEENEY
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires January 9, 2016

210 12th Avenue South, Suite 100• Nashville, TN 37203 • 615-244-7989

Exhibit B

NOTICE OF SUCCESSOR TRUSTEE'S SALE

ENNESSEE, DAVIDSON COUNTY

VHEREAS, by Master Deed establishing Caldwell Court Condominiums, of record in Book 6188, Page '44, recorded in the Register's Office of Davidson County, Tennessee, hereinafter referred to as the 'Master Deed," Town and Country Properties, Inc., a Tennessee Corporation, submitted and subjected all of the land described therein to all the provisions, covenants, conditions and restrictions set forth in said Master Deed; and WHEREAS, Caldwell Court Condominiums Association, Inc., is the duly created governing body for the owners of all the units subjected to said Master Deed; and WHEREAS, the Master Deed creates a lien in favor of Caldwell Court Condominiums, for assessments for common expenses, attorney's fees and costs incurred for collection duly levied against the units subject to said Master Deed; and WHEREAS, there has been a default with respect to the obligation to pay assessments for common expenses with regard to a certain unit, subject to the said Master Deed and Lien, and described hereinbelow; and WHEREAS, Caldwell Court Condominium Association, Inc., the owner and holder of the said lien, has demanded payment of the delinquent assessments as to the said unit, and payment has not been made, and the said Association has directed that said property be sold pursuant to the provisions of the Master Deed; and WHEREAS, for the limited purpose of enforcement of said lien, all of the property subjected to the said Master Deed was transferred and conveyed unto Stephen C. Baker, Trustee, his successors and assigns, reserving a Power of Substitution exercisable by the owner and holder of the above described line, all as set forth in the Master Deed; and WHEREAS, Arthur K. Lowen, was duly appointed Successor Trustee in an instrument of record in Instrument No. 20080625-0055590, Register's office for Davidson County, Tennessee; and WHERAS, Jon D. Curtis; was then duly appointed as Successor Trustee of record in Instrument No. 20130212-0014369, Register's Office of Davidson County, Tennessee; and WHEREAS, pursuant to Tenn. Code Ann. § 35-5-117,

Legals

not less than sixty (60) days prior to the first publication required by § 35-5-101, the notice of the right to foreclose was properly sent, if so required; and NOW, THEREFORE, Notice is hereby given that I, Jon D. Curtis, Successor Trustee, by virtue of the power, duty and authority vested in and imposed upon me, will on March 4, 2014, commencing at 11:00am at the Davidson County courthouse door where the foreclosure sales are customarily held at the main entrance (South Entrance) to the Davidson County Courthouse located at 1 Public Square, Nashville, TN 37201, offer for sale the property hereinafter described, to the highest bidder for cash, at public outcry, free from the equity of redemption, homestead, dower, and all other exemptions of every kind, all of which have been expressly waived in the Master Deed. Said property is more particularly described as follows: LAND in Davidson County, Tennessee, being Unit A-107, of Caldwell Court Condominium created under Title 66, Chapter 27, Section 101, et seq, as amended, Tennessee Code Annotated as established by a Master Deed, of record in Book 6188, Page 744, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to the said Unit as set forth in Exhibit A-1 of said Master Deed. Reference is hereby made to the Plat of Caldwell Court Condominium set forth in Exhibit A-2 of said Master Deed for a more complete identification and description of such Unit. BEING the same property conveyed to Walter F. Whitmore by Quitclaim deed from the Resolution Trust Corporation as Receiver of Metropolitan Federal Savings & Loan Association, F.A., dated August 17th, 1992, of record in Book 8751, Page 12, Register's Office for Davidson County, Tennessee. This is improved property commonly known as 550 Harding Place, Unit A-107, Nashville, Tennessee 37211. Map & Parcel No.: 147 02 0B 007.00 PROPERTY ADDRESS: 550 Harding Place, Unit A-107, Nashville, Tennessee 37211 CURRENT OWNER(S): Walter F. Whitmore SUBORDINATE LEINHOLDERS: Discover Bank, Issuer of Discover Card c/o Nathan and Nathan, P.C. Attn: Bart Lloyd, Attorney P.O. Box 1715 Birmingham, AL 35201 Winston Walker PO Box 332 Whites Creek, TN 37189 OTHER INTERESTED PARTIES: Ron Suedekum, Trustee for NationsBank CLDC-TN REAU PO Box 31590 Tampa, FL 33633-0754 Bank of America, N. A. c/o Tennessee Main Office 414 Union Street, Nashville, TN 37289 PRLAP, Inc., Trustee for Bank of America, N.A. 414 Union Street Nashville, TN 37219 Nationstar Mortgage LLC 350 Highland Drive Lewisville, TX 75067 Robert J. Notestine, Attorney 109 Kenner Avenue, S-201 Nashville, TN 37205 Metropolitan Government of Nashville and Davidson County Suite 108 Department of Law Attn: Cajun B. McJilton PO Box 196300 Nashville, TN 37219 This conveyance shall be subject to all matters shown on any applicable recorded Plan; any unpaid taxes; any restrictive covenants; easements or setback lines that may be applicable; any applicable statutory rights of redemption of the current owner and/or governmental agency, State or Federal; and any prior liens or encumbrances as well as any priority created by a fixture filing; and subject to any matter that an accurate survey of the premises might disclose. This conveyance shall be expressly subject to the Master Deed as set forth hereinabove. If the U.S. Department of Treasury/IRS, the State of Tennessee Department of Revenue, or the State of Tennessee Department of Labor and Workforce Developments, are listed as Interested Parties in the advertisement, then the Notice of this foreclosure is being given to them and the sale will be subject to the applicable government entities' right to redeem the property, as required by 26 U.S.C 7425 and T.C.A 67-1-1433. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the debt pursuant to the said Master Deed. Successor Trustee reserves the right 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.

Jon D. Curtis, Attorney at Law
2020 Fieldstone Parkway Suite 900-92 Franklin, Tennessee 37069
http://jdcurtislaw.com THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

NS Feb 6, 13, 20, 2014

Legals