BILL GARRETT, Davidson County
Trans:T20140021731 DEEDTRS
Recvd: 04/01/14 11:28 7 pgs
Fees:38.00 Taxes:303.40
20140401-0026818

Prepared by and Return to:
Patrick Taggart/ccollymore 03/27/2014
McCurdy & Candler, LLC
3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305

# SUBSTITUTE TRUSTEE'S DEED

JPMorgan Chase Bank
File No. 13-04732 /Janice E. Johnson and Edward L. Johnson, Jr.

Tennessee, Davidson County

WHEREAS, by Deed of Trust dated May 7, 2004, and recorded in the Register's Office of Davidson County, Tennessee, on May 28, 2004 at Instrument No. 20040528-0063161, ("Deed of Trust"), Janice E. Johnson and Edward L. Johnson, Jr. conveyed to David R. Wilson, Trustee, as Trustee, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth; and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to JPMorgan Chase Bank, National Association; and

WHEREAS, JPMorgan Chase Bank, National Association, being the holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 20140310-0019840, 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 the holder of said Deed of Trust requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and

WHEREAS, the property was advertised for sale in Tennessee Tribune in conformity with the laws of Tennessee and the terms and provisions of said Deed of Trust on 3/6/2014, 3/13/2014, and 3/20/2014. The sale was held on March 27, 2014, in Davidson County, Tennessee, in bar of the equities of redemption, dower, and homestead; and

WHEREAS, at the time and place mentioned in said advertisement, the undersigned's agent, offered said property for sale at public outcry to the highest and best bidder for cash, at which sale JPMorgan Chase Bank, National Association, being the highest, best and last bidder, became the purchaser of said property at and for the sum of $82,000.00; and

WHEREAS, the said holder of the debt has assigned its interests in the said property to JPMorgan Chase Bank, National Association, its successors and assigns;

WHEREAS, the holder of said debt for which said property was sold has complied with the terms of sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance of the purchase price being credited on the indebtedness secured by said Deed of Trust;

WHEREAS, this sale shall be subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record at Instrument Nos. 200408060094673, 200608290106471 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b). WHEREAS, this sale shall be subject to the right of redemption by the **TENNESSEE DEPARTMENT OF REVENUE, TAX ENFORCEMENT DIVISION**, pursuant to T.C.A. 67-1-1433(c)(1) by reason of the following tax lien(s) of record at Instrument No. 20050513-0054012 Notice of the sale has been given to the State of Tennessee in accordance with T.C.A. 67-1-1433(b)(1).

NOW, THEREFORE, in consideration of the premises and of the payment by JPMorgan Chase Bank, National Association as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, the undersigned McCurdy & Candler TN, LLC fka MCC TN, LLC as Substitute Trustee, does hereby grant, bargain, sell and convey unto JPMorgan Chase Bank, National Association, its successors and assigns, in fee simple forever, the following described property, to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the property described above, together with the privileges, appurtenances, and hereditaments thereunto belonging or in any way appertaining unto the said JPMorgan Chase Bank, National Association, its successors and assigns, forever, to whom the said McCurdy & Candler TN, LLC fka MCC TN, LLC as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under him, but not further nor otherwise.

IN TESTIMONY WHEREOF, McCurdy & Candler TN, LLC fka MCC TN, LLC, has hereunto executed, on March 27, 2014.

McCurdy & Candler TN, LLC fka MCC TN, LLC
Substitute Trustee

**STATE OF GEORGIA**
**COUNTY OF FULTON**

On March 27, 2014, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, Patrick A. Taggart, with whom I am personally acquainted (or proved on the basis of satisfactory evidence), and who, upon oath acknowledged to be the Assistant Secretary of McCurdy & Candler TN, LLC fka MCC TN, LLC, the within named bargainor, and that as such, being authorized to do so, executed the foregoing instrument for the purposes contained therein, by signing the name of the limited liability corporation.

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

Notary Public

My Commission Expires: 3-4-2018

Lisa Lawson
Notary Public Paulding Co. GA
My commission expires March 4, 2018

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STATE OF GEORGIA
COUNTY OF FULTON

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $82,000.00, 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 March 27, 2014.

Notary Public

Lisa Lawson
Notary Public Paulding Co. GA
My commission expires March 4, 2018

Mail Tax Notices to and Property Owner:
JPMorgan Chase Bank, National Association
7255 Baymeadows Way
Jacksonville, FL 32256

**Map & Parcel No.: 059-14-0-014**
**Property Address: 3010 West Hamilton Avenue**
**Nashville, TN 37218**

**Exhibit "A"**

Land in Davidson County, Tennessee, being Lot No. 229 on the Map of Treppard Heights Subdivision, Section 1, as of record in Book 2663, Page 64, Registers Office for Davidson County, Tennessee.

Said Lot No. 229 fronts 120.03 feet on the Northwesterly side of West Hamilton Avenue, and extends back 472 feet on the Northeasterly line, and 379.5 feet on the Southwesterly line, to a broken line in the rear on which it measures 135 feet.

Being the same property conveyed to Edward L. Johnson, Jr. and wife, Janice E. Johnson, as tenants by the entirety, by Quit Claim Deed from Sallie B. Dunn, dated May 2, 1994 and recorded May 17, 1994 in Book 9347, Page 29, Registers Office for Davidson County, Tennessee.

Parcel Id No.: 059-14-0-014

LAW OFFICES
**McCurdy & Candler, LLC**

J. ROBIN HARRIS (1925 - 1989)
JULIUS A. McCURDY (1903 - 1993)
SCOTT CANDLER, JR. (1926 - 1994)

JOHN WALTER DRAKE
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MICHAEL ALBINO
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HARRISON J. WOODWORTH

*ALSO ADMITTED IN TENNESSEE

MAILING ADDRESS:
Six Piedmont Center, Suite 700
3525 Piedmont Road, NE
Atlanta, Georgia 30305

TELEPHONE: 404-373-1612
MAIN FACSIMILE: 404-370-7232

WWW.MCCURDYCANDLER.COM

February 27, 2014

Internal Revenue Service
Attn: Technical Support- P. Jackson
801 Broadway MDP 53
Nashville, TN 37203

| | | |
|---|---|---|
| RE: | Our File No.: | 13-04732 |
| | Loan No.: | REDACTED |
| | Borrower Name: | Janice E. Johnson and Edward L. Johnson, Jr. |
| | **Taxpayer:** | **Same as above** |
| | **SSN:** | **REDACTED** |
| | Property Address: | 3010 West Hamilton Avenue<br>Nashville, TN 37218 |

Dear Sir or Madam:

Our firm is in the process of foreclosing a Deed of Trust on the property at Davidson County, Tennessee, a copy of the legal description being attached herewith. The present owner(s) of record is/are Edward L. Johnson, Jr. and Janice Johnson .

Our examination of the records in Davidson County, Tennessee, reveals that there is of record a Federal Tax Lien. For your identification, I am attaching copies of the Department of Treasury-Internal Revenue Service Form 668 on the above-referenced tax lien, in compliance with paragraph 7425(c) of the Internal Revenue Code, i.e., a Notice of Non-judicial Sale.

The Deed of Trust to be foreclosed by public sale was executed by Janice E. Johnson and Edward L. Johnson, Jr. to Chase Manhattan Mortgage Corporation on May 7, 2004 in the principal amount of $121,500.00 at 7.00000 percent interest. The amount due on the day of foreclosure is approximately $0.00. The per diem amount is $0.00. Estimated fees and costs of foreclosure are $1,500.00. The foreclosure will take place on March 27, 2014 . The sale will be for cash.

This notice is being submitted in duplicate and I would appreciate your indicating the date and time received on the duplicate copy and returning it to the undersigned at the following address:

3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305

Yours very truly,
McCurdy & Candler, LLC

*Patrick A. Taggart*

BY: Patrick A. Taggart

PT/ccollymore
Enclosures

## SUBSTITUTE TRUSTEE'S SALE

TENNESSEE, DAVIDSON COUNTY

**DEFAULT** having been made in the terms, conditions and payments provided in certain Deed of Trust executed by Janice E. Johnson and Edward L. Johnson, Jr. to David R. Wilson, Trustee dated May 7, 2004 in the amount of $121,500.00, and recorded in the Register's Office of Davidson County, Tennessee in Instrument No. 20040528-0063161, ("Deed of Trust"); and, the beneficial interest of said Deed of Trust having been last transferred to JPMorgan Chase Bank, National Association by assignment; and, JPMorgan Chase Bank, National Association, as the current owner and holder of said Deed of Trust (the "Owner and Holder"), has appointed as Substitute Trustee the undersigned, , any of whom may act, by instrument filed for record in the Register's Office of Davidson County, Tennessee with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; therefore,

**NOTICE** is hereby given that the entire amount of said indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and the undersigned as Substitute Trustee, or a duly appointed attorney or agents by virtue of the power and authority vested by the Appointment of Substitute Trustee, will on Thursday, March 27, 2014 commencing at 12:00 PM at Bridgestone Arena; sell to the highest bidder for cash, immediately at the close of sale, the following property to-wit:

Land in Davidson County, Tennessee, being Lot No. 229 on the Map of Treppard Heights Subdivision, Section 1, as of record in Book 2663, Page 64, Registers Office for Davidson County, Tennessee.
Said Lot No. 229 fronts 120.03 feet on the Northwesterly side of West Hamilton Avenue, and extends back 472 feet on the Northeasterly line, and 379.5 feet on the Southwesterly line, to a broken line in the rear on which it measures 135 feet.
Being the same property conveyed to Edward L. Johnson, Jr. and wife, Janice E. Johnson, as tenants by the entirety, by Quit Claim Deed from Sallie B. Dunn, dated May 2, 1994 and recorded May 17, 1994 in Book 9347, Page 29, Registers Office for Davidson County, Tennessee.

Parcel Id No.: 059-14-0-014
Map & Parcel No.: 059-14-0-014

**PROPERTY ADDRESS:** 3010 West Hamilton Avenue, Nashville, Tennessee 37218
**CURRENT OWNER(S):** Edward L. Johnson, Jr. and Janice Johnson
**SUBORDINATE LIENHOLDERS:** Citibank South Dakota, N.A., Virginia Lee Story, State Farm Mutual Ins. Co.
**OTHER INTERESTED PARTIES:** Internal Revenue Service, Tennessee Department of Revenue

This sale is also subject to the right of redemption by the **INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY**, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in:Instrument Nos. 200408060094673, 200608290106471 Notice of the sale has been given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b). In addition, this sale shall be subject to the right of redemption by the **TENNESSEE DEPARTMENT OF REVENUE, TAX ENFORCEMENT DIVISION**, pursuant to T.C.A. 67-1-1433(c)(1) by reason of the following tax lien(s) of record in: Instrument No. 20050513-0054012 Notice of the sale has been given to the State of Tennessee in accordance with T.C.A. 67-1-1433(b)(1).

All right and equity of redemption, statutory or otherwise, homestead, and dower are expressly waived in said Deed of Trust, and the title is believed to be good, however, the undersigned will sell and convey only as Substitute Trustee.

The sale will be held subject to any unpaid taxes, assessments, rights-of-way, easements, protective covenants or restrictions, liens, and other superior matters of record which may affect said property; as well as any prior liens or encumbrances as well as priority created by a fixture filing; and/or any matter that an accurate survey of the premises might disclose.

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 Development 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 governmental 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 loan with the holder of the Deed of Trust.

Substitute 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.

McCurdy & Candler TN, LLC
3525 Piedmont Road NE, Six Piedmont Center, Suite 700
Atlanta, GA 30305
McCurdy & Candler, L.L.C.
(404) 373-1612
www.mccurdycandler.com

File No. 13-04732 /CONV
Ad Run Dates: 3/6/2014, 3/13/2014, and 3/20/2014

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.

LAW OFFICES
**McCurdy & Candler, LLC**

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TELEPHONE: 404-373-1612
MAIN FACSIMILE: 404-370-7232

WWW.MCCURDYCANDLER.COM

February 27, 2014

Department of Revenue
Special Procedures
500 Deadrick Street, 4th Floor
Nashville, TN 37242

RE: Our File No.: 13-04732
Loan No.: REDACTED
Borrower Name: Edward L. Johnson, Jr. and Janice E. Johnson
Property Address: 3010 West Hamilton Avenue
Nashville, TN 37218

Dear Sir or Madam:

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Yours very truly,
McCurdy & Candler, LLC

*Patrick A. Taggart*

BY: Patrick A. Taggart

PT/ccollymore
Enclosures

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**NOTICE** is hereby given that the entire amount of said indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and the undersigned as Substitute Trustee, or a duly appointed attorney or agents by virtue of the power and authority vested by the Appointment of Substitute Trustee, will on Thursday, March 27, 2014 commencing at 12:00 PM at Bridgestone Arena; sell to the highest bidder for cash, immediately at the close of sale, the following property to-wit:

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