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

Tennessee FHA

Davidson County DEEDTRS
Recvd: 04/21/14 15:02 7 pgs
Fees:37.00 Taxes:0.00
20140421-0033141

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 27, 2007, recorded in Instrument No. 20071001-0116290; modified at Instrument Number 20110621-0047463, in the Register's Office of Davidson County, Tennessee, Jacqueline Marie Smith, a single woman conveyed to Stewart 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 20121105-0101744, 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 said Branch Banking and Trust Company, the said property was 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 March 21, 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 Branch Banking and Trust Company, whose address is Branch Banking & Trust Company, FORECLOSURE DEPARTMENT, 301 College Street, Greenville, South Carolina 29601, at and for the sum of $129,031.00, that being the highest and best bid offered; and,

WHEREAS, the said Branch Banking and Trust Company has assigned its interests in the said property to Secretary of Housing and Urban Development, Washington, D.C., its successors and assigns; 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 Branch Banking and Trust Company 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 Secretary of Housing and Urban Development, Washington, D.C., 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:

A certain tract or parcel of land situated in Davidson County, Tennessee, as described as follows:

A certain condominium apartment in Davidson County, Tennessee, described as follows: Unit 103 in a Horizontal Property Regime, which is located on the Plan of Ellington Place Condominium, a plat of which is shown as Exhibit "C" of the Master Deed of record in Book 6984, Page 84, Registers Office for Davidson County, Tennessee, to which reference is hereby made for a more particular description, and being part of the land shown on the subdivision plat of Ellington Place Condominium, of record in Book 6250, Page 829, Register's Office for Davidson County, Tennessee. Said condominium apartments are conveyed together with all appurtenant ownership in the common elements in the Master Deed.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20071001-0116290; modified at Instrument Number 20110621-0047463, 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. 20071001-0116290; modified at Instrument Number 20110621-0047463, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed, recorded in Instrument Number 20071001-0116289, 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 Secretary of Housing and Urban Development, Washington, D.C., 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 28 day of March, 2013.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 28TH day of March, 2013, before me, a Notary Public, in and for said State and County, personally appeared Philip Brooks, 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.

PAMELA LOGSTON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
FEBRUARY 22, 2015

My commission expires: _____

Notary Public

NO TAX/GOVERNMENTAL AGENCY
TCA CODE 67-4-409

PROPERTY ADDRESS: 103 Ellington Place, Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Secretary of Housing and Urban Development
Federal Housing Administration
Michaelson, Conner, and Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

S&K File #11-028946
Map & Parcel -051100B04100CO

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

0101621133

Affidavit of Publications

Newspaper: THE TENNESSEAN

State Of Tennessee

TEAR SHEET ATTACHED

Account Number: 529232

Advertiser: FORECLOSURE IN TN, A DIVISION

RE: 11-028946 SMITH, Jaqueline Marie

I, TINA KEITH **Sales Assistant** for the above mentioned newspaper, hereby certify that the attached advertisement appeared in said newspaper on the following dates:

1/16/2013 1/23/2013 1/30/2013

Tina Keith

45

0101621133

SUBSTITUTE TRUSTEE'S SALE

Sale at public auction will be on March 21, 2013 at 10:00AM 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 Jacqueline Marie Smith, a single woman, to Stewart Title, Trustee, on September 27, 2007 at Instrument No. 20071001-0116290; modified at Instrument Number 20110621-0047463; all of record in the Davidson County Register's Office.

Owner of Debt: Branch Banking and Trust Company

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

A certain tract or parcel of land situated in Davidson County, Tennessee, as described as follows:

A certain condominium apartment in Davidson County, Tennessee, described as follows: Unit 103 in a Horizontal Property Regime, which is located on the Plan of Ellington Place Condominium, a plat of which is shown as Exhibit "C" of the Master Deed of record in Book 6984, Page 84, Registers Office for Davidson County, Tennessee, to which reference is hereby made for a more particular description, and being part of the land shown on the subdivision plat of Ellington Place Condominium, of record in Book 6250, Page 629, Register's Office for Davidson County, Tennessee. Said condominium apartments are conveyed together with all appurtenant ownership in the common elements in the Master Deed.

Street Address: 103 Ellington Place, Madison, Tennessee 37115

Parcel Number: 051100804100CO

Current Owner(s) of Property: Jacqueline Marie Smith, who acquired title as Jacquelin Smith

Other interested parties: Ellington Place Condominium Association c/o Jim Curley Properties, Ellington Place Condominium Association c/o Chaffin, Burnsed & Blackburn and Equable Ascent Financial, LLC. c/o David Mendelson

The street address of the above described property is believed to be 103 Ellington Place, 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.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

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 the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder.

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.kirschattorneys.com

Law Office of Shapiro & Kirsch, LLP

555 Perkins Road Extended, Second Floor

Memphis, TN 38117

Phone (901)767-5566

Fax (901)761-5690

File No. 11-028946

46

JAN. 14. 2013 1:48PM NO. 654 P. 12

Department of Defense Manpower Data Center

Results as of : Mar-20-2013 07:21:14

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: SMITH
First Name: JACQUELINE
Middle Name: MARIE
Active Duty Status As Of: Mar-20-2013

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

Department of Defense Manpower Data Center

Results as of : Mar-20-2013 07:21:08

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: SMITH
First Name: JACQEILIN
Middle Name:
Active Duty Status As Of: Mar-20-2013

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			

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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.

Oscie Bonner
Signature

State of Tennessee

County of Shelby

Personally appeared before me, Kelly Lipford, 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.

Kelly Lipford
Notary's Signature

KELLY LIPFORD
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES JANUARY 05, 2015

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.