PREPARED BY AND RETURN TO:
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Davidson County DEEDTRS
Recvd: 05/05/14 14:44 3 pgs
Fees:18.00 Taxes:183.15
20140505-0038153

S&K:14-056938

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 17, 2004, recorded in Instrument No. 20040930-0117569, in the Register's Office of Davidson County, Tennessee, Timothy R. Richard, Sr., a/k/a Timothy R. Richard, unmarried conveyed to Robert M. Wilson, Jr., 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 the undersigned was appointed as Substitute Trustee by Instrument of record in Instrument Number 20140403-0027773, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, the holder requested the undersigned to advertise and 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 March 21, 2014, March 28, 2014, and April 4, 2014, by which advertisement the sale was appointed to be held on April 24, 2014, 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 property was sold at public outcry to the highest and best bidder for cash at which time the said property was struck off and sold to The Bank of New York Mellon FKA The Bank of New York, as Trustee for the benefit of the certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-33, Mortgage Pass-Through Certificates, Series 2004-33, whose address is Residential Credit Solutions, Inc., 4708 Mercantile Drive, Fort Worth, Texas 76137, at and for the sum of $49,500.00, 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 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 The Bank of New York Mellon FKA The Bank of New York, as Trustee for the benefit of the certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-33, Mortgage Pass-Through Certificates, Series 2004-33 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 The Bank of New York Mellon FKA The Bank of New York, as Trustee for the benefit of the certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-33, Mortgage Pass-Through Certificates, Series 2004-33, 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:

Property located at 771 Madison Boulevard, Madison, Davidson County, Tennessee 37115 AND:

Being Lot No. 1 on the Plan of Resubdivision of Part of Lot No. 7 of Power and Roth's Subdivision of Madison Park, of record in Book 4300, page 8, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Timothy R. Richard on 06/27/02, by deed from Michael W. Huffines and wife, Reba H. Huffines and Alize F. Huffines, unmarried, filed for record on 07/09/02, in Instrument No. 20020709-0082405, Register's Office for Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20040930-0117569, 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. 20040930-0117569, in the Register's Office of Davidson County, Tennessee.



The last deed of record is Warranty Deed recorded at Instrument Number 20020709-0082405, 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 The Bank of New York Mellon FKA The Bank of New York, as Trustee for the benefit of the certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-33, Mortgage Pass-Through Certificates, Series 2004-33, 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 29th day of April, 2014.

Shapiro & Kirsch, LLP

By: Bridget Cole
Bridget Cole

Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 29TH day of April, 2014, before me, a Notary Public, in and for said State and County, personally appeared Bridget Cole, 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

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 $49,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Bridget Cole
Affiant
Bridget Cole

Subscribed and sworn to before me on the date written above.

PAMELA LOGSTON
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
FEBRUARY 22, 2015
My commission expires:

Notary Public

PROPERTY ADDRESS: 771 Madison Boulevard, Madison, Tennessee 37115

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
The Bank of New York Mellon FKA The Bank of New York, as Trustee for the benefit of the certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-33, Mortgage Pass-Through Certificates, Series 2004-33
4708 Mercantile Drive
Fort Worth, Texas 76137

S&K File #14-056938
Map & Parcel -052 01 0 302.00

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.

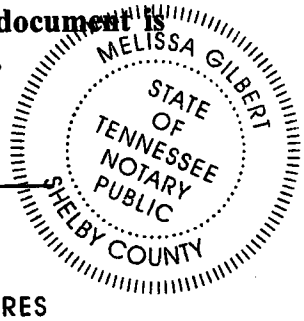
Oscie Bonner

Signature

State of Tennessee

County of Shelby

Personally appeared before me, Melissa Gilbert, 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.



Melissa Gilbert

Notary's Signature

MY COMMISSION EXPIRES: MY COMMISSION EXPIRES AUGUST 01, 2016

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.