THIS INSTRUMENT PREPARED BY:
Shapiro & Kirsch, LLP
555 Perkins Road Extended, Second Floor
Memphis, TN 38117
(901)767-5566

S&K:14-057593

BILL GARRETT, Davidson County
Trans:T20140056997 DEEDTRS
Recvd: 08/05/14 12:01 3 pgs
Fees:18.00 Taxes:185.00
20140805-0070184

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 11, 2009, recorded in Instrument No. 20090916-0086401, in the Register's Office of Davidson County, Tennessee, Anita L. Booth, a widow, unmarried conveyed to Athens Title & Escrow LLC, TN, Michael J. Mills, Attorney, 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 20140516-0042246, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, the holder requested said Substitute 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 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 May 30, 2014, June 6, 2014, and June 13, 2014, by which advertisement the sale was appointed to be held on July 10, 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 Capital Journey, LLC, whose address is 301 S. Perimeter Park Drive, Nashville, TN 37211, at and for the sum of $50,001.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Capital Journey, LLC, 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 Capital Journey, LLC 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 Capital Journey, LLC, its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to-wit:

Being all of that certain land or lot as described in Davidson County, Tennessee as follows to-wit:

Tract One:
Being Lot No. 217 on the Plan of Homeland Heights, Section 3, as of record in Book 3700, page 55, said Register's Office.

Said Lot No. 217 fronts a total of 320.00 feet on the northeasterly side of Homeland Drive, and runs back 342.0 feet on the northwesterly line and 339.5 feet on the southeasterly line to a point of intersection, said lot being triangular in shape.

Being the same property conveyed to Robert E. Booth and wife, Anita L. Booth, by Warranty Deed from Walter Bryant, Jr., and wife, Ellen L. Bryant, dated June 20, 1986, and recorded in Book 6894, page 185, in the Register's Office for Davidson County, Tennessee.

Tract Two
Being Lot No. 218 on the Plan of Homeland Heights, Section 3, as of record in Book 3700, page 55, said Register's Office.

Said Lot No. 218 fronts 125.00 feet on the northeasterly side of Homeland Drive and runs back 339.5 feet on the northwesterly line and 441.0 feet on the southeasterly line to a line in the rear which measures 162.00 feet thereon.

Being the same property conveyed to Robert E. Booth and wife, Anita L. Booth, by Warranty Deed and Deed of Correction from Larry E. Jenkins and wife, Jamye Kim Jenkins, dated September 30, 1986, and corrected and recorded in Book 7044, page 267, see al so Deed of record in Book 6894, page 188, recorded in the Register's Office for Davidson County Tennessee.

The said Robert E. Booth having pre-deceased his wife, Anita L. Booth on September 14, 2008, leaving her sale owner by operation of law.

This conveyance is subject to any and all existing restriction and easements of record.

The instrument constituting the source of the Mortgagors Deed of Trust legal and equitable interests in the foregoing described property was a Deed recorded in the Registers Office of Davidson County, Tennessee, which currently has the address of 3704 Homeland Drive, Nashville, TN 37218.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20090916-0086401, 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. 20090916-0086401, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty deed recorded at Book 6894, Page 185 and Warranty Deed recorded at Book 6894, Page 188 corrected by Deed of Correction recorded at Book 7044, Page 267, 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.

This conveyance is subject to the right of the United States of America to redeem the land as provided for in 26 U.S.C. 7425 (d) (1). Attached hereto is a copy of the notice thus provided and a copy of the written response of the United States to the notice thus provided, if any.

SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

SALE IS SUBJECT TO ONE YEAR RIGHT OF REDEMPTION HELD BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT BY REASON OF THE CLOSED-END FIXED RATE HOME EQUITY CONVERSION SECOND DEED OF TRUST OF RECORD AT INSTRUMENT NUMBER 20090916-0086402, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

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 Capital Journey, LLC, 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 23 day of July, 2014.

Shapiro & Kirsch, LLP

By: _____

Authorized Signatory **Ashley M. Jones**

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 23 day of July, 2014, before me, a Notary Public, in and for said State and County, personally appeared Ashley M. Jones, 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.

MEGHAN FERNALD
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MY COMMISSION EXPIRES
OCTOBER 21, 2017
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 $50,001.00, 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 the date written above.

_____ _____
My commission expires: Notary Public

PROPERTY ADDRESS: 3704 Homeland Drive, Nashville, Tennessee 37218

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Capital Journey, LLC
301 S. Perimeter Park Drive, Nashville, TN 37211

S&K File #14-057593 / FNR
Map & Parcel -058 00 0 169.00

RETURN TO:

_____

_____

_____

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$50,001.00
_____, Affiant
Subscribed and sworn before me this the
5th Day of August, 2014.
L. Chandler Deputy Register

PREPARER'S NOTE: IT IS THE GRANTEE'S RESPONSIBILITY TO RECORD THIS INSTRUMENT. FAILURE TO DO SO MAY ADVERSELY AFFECT TITLE OR INTEREST.

14-057593 / STD
7/23/2014 12:05 PM