THIS INSTRUMENT PREPARED BY AND RETURN TO:
William T. Hill, Attorney at Law
Sun Trust Bank Building
201 Fourth Ave North, Suite 1800
Nashville, Tennessee 37219

Davidson County DEEDTRS
Recvd: 11/04/14 13:44 4 pgs
Fees:23.00 Taxes:176.07
20141104-0101854

SUBSTITUTE TRUSTEE'S DEED

Address New Owner and Send Tax Bills To:

BMO HARRIS BANK, N.A.
770 N. Water Street
Milwaukee, WI 53201

Map-Parcel Numbers:

081-11-0 457.00

WHEREAS, Default having been made in the terms and conditions of payments, pursuant to a certain Deed of Trust executed by Ruby J. Leath and Joe Louis Swinger, deceased to Wilson & Associates, PLLC, Trustee, dated the 11th day of February, 2008 and being of record in Inst. No. 20080328-0031184, Register's Office for Davidson County, Tennessee, referred to herein as the deed of trust, which conveyed certain real property, appurtenances, estate, title and interest therein in trust to secure the indebtedness described therein, which indebtedness is now due and unpaid and has been declared in default by the lawful owner thereof, **BMO Harris Bank N.A., as successor to M&I Marshall & Ilsley Bank and M&I Bank FSB.**

WHEREAS, Appointment of Substitute Trustee having been duly executed by the holder of the note and beneficiary of said Deed of Trust, Appointment of Substitute Trustee being of record in Inst. No. 20140910-0083007, in the Register of Deed's Office, Davidson County, Nashville, Tennessee, and appointing William Timothy Hill as Substitute Trustee.

WHEREAS, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder of said debt has called upon the Substitute Trustee to foreclose the Deed of Trust; and

WHEREAS, the undersigned, as Substitute Trustee, did, in compliance with the provisions of said Trust Deed, advertise for sale the property conveyed by same, the advertisement of sale having been published in The Ledger on **9/5/14 – 9/12/14 – 9/19/14** and as required by the terms of the Deed of Trust, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve o'clock noon (12:00 noon), October 27, 2014, at the Davidson County Courthouse, Public Square, 2nd Ave North, Nashville, Tennessee, when and where BMO Harris Bank, N.A., ("Grantee"), became the last and highest bidder at the price of Forty-seven Thousand Five Hundred Eighty-five and 52/100 ($47,585.52) Dollars.

NOW, THEREFORE, NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance with the terms of said bid, the undersigned, William Timothy Hill, as Substitute Trustee, has bargained and sold, and does by these presents bargain, sell and convey to the said BMO Harris Bank, N.A., the property advertised and sold as hereinabove recited, situated, lying and being in the County of Davidson, State of Tennessee, and more particularly described as follows:

> Land in Davidson County, Tennessee being the southerly half of Lot No. 120 in McGavock, Wetmore & Others Second Addition to Nashville, called the "Addition to the Town of McGavock", a plan of which is of record in Book 21, page 41, Register's Office for said County.
>
> BEING the same property conveyed to Ruby J. Leath and Joe Louis Swinger, both unmarried, by Deed recorded 4/18/1990 at Book 8090, page 459 and Quit Claim deed at Inst. No. 20080328-0031183, Register's Office for Davidson County, Tennessee. Now both being deceased.
>
> This is improved property known as 1714 12th Ave North, Nashville, TN.

TO HAVE AND TO HOLD, unto the said, BMO Harris Bank, N.A., its successors and assigns, in fee simple forever.

The undersigned Substitute Trustee believes the title hereby conveyed to be good, but warrants the same against the lawful claims of all persons claiming by, through, and under, a conveyance from the undersigned as Substitute Trustee, under the provisions of the above described Trust Deed, and not further or otherwise.

The Notice of the Right to Foreclose has been given in accordance with Tennessee Code Annotated §35-5-117(i). This sale is made subject to any and all outstanding unpaid real property taxes upon the property as of the date of the Substitute Trustee's sale described herein, and any and all other prior restrictions, encumbrances, or liens of any nature.

WITNESS, the signature of the undersigned, William Timothy Hill, Substitute Trustee, this 22nd of October, 2014.

William Timothy Hill, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF

On this the 22nd day of October, 2014, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared William Timothy Hill, Substitute Trustee, to me known to be the person described, and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and ear above written.

CHARLOTTE E. HERRING
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Notary Public

My Commission Expires: _____

My Commission Expires SEPT. 11, 2017

I, William Timothy Hill, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is ($47,585.52).

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance

Affiant

Subscribed and sworn to before me this ___ day of _____, 2014.

Notary Public
My Commission Expires: _____

CHARLOTTE E. HERRING
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires SEPT. 11, 2017

Grantee:
BMO Harris Bank, N.A.

NOTICE OF FORECLOSURE
AND SUBSTITUTE TRUSTEE'S SALE

Default having been made in the terms and conditions of payments, pursuant to a certain Deed of Trust executed by Ruby J. Leath and Joe Louis Swinger, deceased to Wilson & Associates, PLLC, Trustee, dated the 11th day of February, 2008 and being of record in Inst. No. 20080328-0031184, Register's Office for Davidson County, Tennessee, referred to herein as the deed of trust, which conveyed certain real property, appurtenances, estate, title and interest therein in trust to secure the indebtedness described therein, which indebtedness is now due and unpaid and has been declared in default by the lawful owner thereof, **BMO Harris Bank N.A., as successor to M&I Marshall & Ilsley Bank and M&I Bank FSB**. Appointment of Substitute Trustee having been duly executed by the holder of the note and beneficiary of said Deed of Trust, and appointing William Timothy Hill as Substitute Trustee.

NOW, THEREFORE, I, William Timothy Hill, Trustee, pursuant to the said Deed of Trust, having been requested by the owner and holder of said indebtedness so to do, by virtue of the authority and power vested in me by said deed of trust and appointing of Substitute Trustee will on the 26th day of September, 2014, at 12:00 noon., on the front door of the Davidson County Courthouse, Public Square, 2nd Ave North, Nashville, Davidson County, Tennessee, sell at public outcry to the highest bidder for cash (or credit upon the indebtedness secured, if the holder is the successful purchaser) the following described property located in Davidson County, Tennessee, to wit:

Land in Davidson County, Tennessee being the southerly half of Lot No. 120 in McGavock, Wetmore & Others Second Addition to Nashville, called the "Addition to the Town of McGavock", a plan of which is of record in Book 21, page 41, Register's Office for said County. Tax Id#081-11-0 457.00

BEING the same property conveyed to Ruby J. Leath and Joe Louis Swinger, both unmarried, by Deed recorded 4/18/1990 at Book 8090, page 459 and Quit Claim deed at Inst. No. 20080328-0031183, Register's Office for Davidson County, Tennessee.

This is improved property known as 1714 12th Ave North, Nashville, TN.

Other interested parties: LVNV Funding LLC

If there is any discrepancy with the street address, the legal description will control.

At the time of this publication, the § 35 5 117 notice of the right to foreclose was timely forwarded. The sale of the property described in said Deed of Trust shall be subject to any and all instrument of record, prior liens, encumbrances, deeds of trust, easements, restrictions, building lines, unpaid taxes, assessments, penalties and interest, if any. All right and equity of redemption, homestead, dower and all other exceptions are expressly waived in said Deed of Trust, and the title is believed to be good, but the Substitute Trustee will convey and sell only as Substitute Trustee. The right is reserved to adjourn the day of the sale to another day or time certain without further publication, upon announcement at the time for the above.

This 3rd day of September, 2014.

William Timothy Hill, Substitute Trustee
201 Fourth Avenue North, Suite 1800
Nashville, TN 37219

AFFIDAVIT

I, William Timothy Hill, 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.

William Timothy Hill
PRICE, HILL & KOLARICH
201 4th Avenue North, Suite 1800
Nashville, TN 37219
(615) 256-1577

State of Tennessee)
)
County of Davidson)

Personally appeared before me, Phyllis Ashby, a notary public for this county and state, (William Timothy Hill) who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

PHYLLIS ASHBY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

MY COMMISSION EXPIRES: September 11, 2017