THIS INSTRUMENT PREPARED BY AND RETURN TO:
BROCK & SCOTT, PLLC
277 MALLORY STATION ROAD
SUITE 115
FRANKLIN, TN 37067

BILL GARRETT, Davidson County
Trans:T20150006380 DEEDTRS
Recvd: 01/27/15 09:09 6 pgs
Fees:33.00 Taxes:377.40
20150127-0007532

FILE NO.: 14-24612

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, Russell N. Bolton II conveyed to Arnold M. Weiss, Attorney as Trustee for the benefit of Mortgage Electronic Registration Systems, Inc. as nominee for America's Wholesale Lender, the hereinafter described property for the purpose of securing payment of the indebtedness and performance of the obligations therein mentioned and set forth in a Deed of Trust dated October 5, 2004 and recorded on October 11, 2004 in Instrument No. 20041011-0122413, in the Office of the Register of Deeds of Davidson County, Tennessee, and

WHEREAS, the beneficial interest of said Deed of Trust was last transferred and assigned to **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11**; and

WHEREAS, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11, being the holder of the debt secured, appointed the undersigned as Substitute Trustee by instrument of record in Instrument No. 20141210-0112982 in the Office of the Register of Deeds 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, if the original sale date was postponed, such sale was postponed in accordance with the provisions of T.C.A. 35-5-101(f), and all announcements and notifications were made as required therein, and

WHEREAS, at the time and place mentioned in referenced advertisement the undersigned's agent, offered said property for sale at public outcry at the Davidson Courthouse on December 23, 2014 at 10:00AM to the highest and best bidder for cash, at which sale THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11, being the best, highest and last bidder, became the purchaser of said property at and for the sum of $102,000.00; and

WHEREAS, State Tax Lien(s) have been filed by the Tennessee Department of Revenue against the subject property in the Register's Office of Davidson County, Tennessee, at Book 20061013-0127495. Notice of the sale was given to the State of Tennessee pursuant to T.C.A. 67-1-1433(b)(1) and a copy is attached hereto as Exhibit "A". The response of the State of Tennessee is attached hereto as Exhibit "B". The property is subject to the right of the State of Tennessee to redeem pursuant to T.C.A. 67-1-1433(c)(1); and

WHEREAS, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11 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; and

NOW, THEREFORE, in consideration of the premises and of payment by THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11 as aforesaid, of the said sum of money, receipt of which payment is hereby acknowledged, Brock & Scott, PLLC, as Substitute Trustee, does hereby grant, bargain, sell and convey unto THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11, its/his/her successors and assigns, in fee simple forever, the following described real property situated in the County of Davidson, State of Tennessee:

Land in Davidson County, Tennessee, being Lot No. 370 on the Plan of Peppertree Forest, Section 5, planned unit development of record in Plat Book 7900, Page 499, Register's Office for said County, to which reference is made for a more complete description.

Being the same property conveyed to Federal Home Loan Mortgage Corporation by Substitute Trustee's Deed, filed on May 27, 2004, as Instrument Number 20040827-0103685, in the Records of Davidson County, Tennessee.

Being the same property conveyed to Russell N. Bolton II, grantee by Warranty Deed by Federal Home Mortgage Corporation, organized and existing under the laws of the United States of America, grantor, by its duly, authorized attorney-in-fact, Burrow Closing Management Corporation, filed on 11th day of Oct., 2004, as Instrument Number 200410110122412 in the Record of Davidson County, Tennessee.

Property commonly known as: 4425 Stoneview Drive, Antioch, TN 37013.

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 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11, its/his/her successors and assigns forever, to whom the said, Brock & Scott, PLLC, as Substitute Trustee, warrants the title to the aforesaid property against the lawful claims and demands of all persons claiming by, through or under it, as such Substitute Trustee, but not further or otherwise.

IN TESTIMONY WHEREOF, **Attorney Kyle Kotake** of Brock & Scott, PLLC as Trustee, has hereunto set his hand, this 23rd day of January 2015.

Brock & Scott, PLLC

By: _____
Brock & Scott, PLLC
Kyle Kotake
Substitute Trustee

STATE OF GEORGIA
COUNTY OF FULTON

Before me, a Notary Public in the State and County aforementioned personally appeared Kyle Kotake, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be an Attorney of Brock & Scott, the within named bargainor a PLLC, and that such person as such Attorney executed the forgoing instrument for the purpose therein contained by signing the name of the PLLC by such person as Attorney.

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

Notary Public

My Commission Expires: 11/11/18

TRACY LAN BURKHALTER NOTARY PUBLIC FULTON CO., GEORGIA MY COMMISSION EXPIRES NOV. 11, 2018

STATE OF GEORGIA
COUNTY OF FULTON

I hereby swear or affirm that to the best of my knowledge, belief and information, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $102,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Kyle Kotake – As Agent

Subscribed and sworn to before me on this 23 day of January, 2017.

Notary Public

My Commission Expires: 11/11/18

TRACY LAN BURKHALTER NOTARY PUBLIC FULTON CO., GEORGIA MY COMMISSION EXPIRES NOV. 11, 2018

Brock & Scott File No.: 14-24612
Property Address: 4425 Stoneview Drive, Antioch, TN 37013
Tax Parcel I.D. No.: 165130A01800
Property Owner and Tax Notices:
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11
C/O Shellpoint Mortgage Servicing
15 South Main Street
Greenville, SC 29601

BROCK & SCOTT PLLC
277 MALLORY STATION ROAD
SUITE 115
FRANKLIN, TN 37067
PHONE: 615-550-7697
FAX: 615-550-8484

EXHIBIT "A"

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
COPY VIA REGULAR MAIL

November 12, 2014

Department of Revenue
Tax Enforcement Division
P.O. Box 190665
Nashville, TN 37219-0865

RE: **Notice of State Tax Lien**
File No.
Borrower(s): Russell N. Bolton, II
Property Address: 4425 Stoneview Drive, Antioch, TN 37013

Dear Sir(s) or Madam(s):

I am writing to advise you in accordance with T.C.A. 67-1-1433 that THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11 has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on December 9, 2014. Enclosed is a copy of the Substitute Trustee's Notice, which is being published in the Davidson County legal newspaper. The recording information for the Deed of Trust, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Davidson County records indicates that 1 state tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific state tax lien(s) found; said lien(s) were recorded in Instrument #20061013-0127495.

We are not certain that the parties named in the state tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security numbers of the individual(s) against whom the above-referenced lien(s) are filed are as follows: *Russell N. Bolton, II*, SSN(s) *XXX-XX-8825*.

The unpaid principal balance of the loan against the above-referenced property is approximately $89,994.15. Interest through the sale date is approximately $34,254.41. Costs and attorneys' fees associated with the sale should be approximately $2,500.00.

If you should have any questions about this matter, please do not hesitate to contact this office.

Respectfully,

Brock & Scott, PLLC

Enclosures
cc: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2004-11

STATE OF TENNESSEE
DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT DIVISION
ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37242

December 12, 2014

EXHIBIT "B"

Brock & Scott, PLLC
277 Mallory Station Road, Suite 115
Franklin, TN 37067

Re: Foreclosure Sale:
Property Owned by: Russell N. Bolton, II
Entity / SSN: xxx-xx-8825

To whom it may concern;

This is in reference to your letter dated Decermber 10, 2014, concerning the reschedule of the foreclosure sale to December 23, 2014, of property owned by the above-captioned taxpayer(s).

Your letter **does** comply with the provisions of T.C.A. § 67-1-1401 et. seq., but if the sale produces more than the amount needed to satisfy the cost of the sale, the indebtedness indicated in your letter, and any other superior liens, the amount of surplus proceeds up to the amount of taxes, penalties and interest due the Department of Revenue must be remitted to the State of Tennessee. Excess proceeds, if any, should be sent to the attention of the Special Procedures Unit at P.O. box 190665 Nashville, TN 37219-0665. The amount of taxes, penalties and interest that is due as of December 23, 2014 is $3,594.70. *(Please be advised that if the scheduled sale is cancelled or postponed for any reason, notice must be submitted in writing if the sale is to be continued).*

After the sale, (and within 15 days), please furnish me with **an accounting of the sale** (form enclosed), and I will release the State's tax lien on the property sold. If the sale is canceled, please advise this office with a brief explanation.

Please call me at (615) 253-5046 if you have any additional questions.

Jessica Larkins

Jessica Larkins, Lien Desk 1
Special Procedures Section
Revenue Enforcement Division
Tennessee Department of Revenue

SP/md
c: *file*