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

**S&I:13-055341**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated September 24, 2001, recorded in Instrument No. 20011008-0109359, in the Register's Office of Davidson County, Tennessee, John C. Hornaday and Patricia E. Hornaday, husband and wife conveyed to Emmett James House and Bill R. McLaughlin, 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 20140116-0004288, 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 January 24, 2014, January 31, 2014, and February 7, 2014, by which advertisement the sale was appointed to be held on March 27, 2014 at 10:00 AM, at which time it was announced the sale adjournment to be held on May 8, 2014 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on July 3, 2014 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on August 14, 2014 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on October 30, 2014 at 10:00 AM, at which time it was announced the sale was further adjourned to be held on January 15, 2015, at the front entrance of the The Historic Davidson County Courthouse, One Public Square, Nashville, TN 37201, 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 Steven Vollman, whose address is 705 Arbor Springs Dr., Mount Juliet, TN 37122, at and for the sum of $101,500.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, Steven Vollman, 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 Steven Vollman the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Ingle, LLP, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Steven Vollman, his successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Hermitage, County of Davidson, State of Tennessee, to-wit:

> Land in Davidson County, Tennessee, being Lot No. 11 Roxborough Subdivision, as shown by Plat of record in Plat Book 5200, Page 63, of the Register's Office of Davidson County, Tennessee, to which plat reference is made for a more complete and accurate description of said Lot.
>
> Being the same property conveyed to John C. Hornaday and wife, Patricia E. Hornaday by deed from Benjamin L. Huffman and Robert Todd Joyce; Both unmarried of record in Book 11749, page 205, Register's Office for Davidson County, Tennessee.

This legal description is identical with that in Deed of Trust recorded in Instrument No. 20011008-0109359, 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. 20011008-0109359, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Quit Claim Deed recorded at Instrument Number 20101203-0096507, 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 Steven Vollman, his successors and assigns, in fee simple forever, to whom the said Shapiro & Ingle, 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 & Ingle, LLP, Substitute Trustee, has hereunto set its hand and seal this 26th day of January, 2015.

Shapiro & Ingle, LLP

By: _____

Authorized Signatory
Michael A. Dennie

STATE OF TENNESSEE
COUNTY OF SHELBY

On the 26th day of January, 2015, before me, a Notary Public, in and for said State and County, personally appeared Michael Dennie, with whom I am personally acquainted, and who, acknowledged himself/herself to be an authorized signatory of Shapiro & Ingle, 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.

MY COMMISSION EXPIRES
OCTOBER 21, 2017
My commission expires:

Linda Shaw
Notary Public

LINDA SHAW
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

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 $101,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant - Agent

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

9-11-17
My commission expires:

_____
Notary Public

SUSAN FRENSLEY NEWTON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

MY COMMISSION EXPIRES:
SEPTEMBER 11, 2017

**PROPERTY ADDRESS:** 5136 Roxborough Drive, Hermitage, Tennessee 37076

**PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
Steven Vollman
705 Arbor Springs Dr., Mount Juliet, TN 37122

**S&I File #13-055341 / CXE**
**Map & Parcel -098 01 0 055.00**

RETURN TO:

Steven Vollman

705 Arbor Springs Dr.

Mt. Juliet, TN 37122

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