RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Brenda Sue Upchurch

GRANTEE(s)
The Secretary of Housing and Urban Development, his/her successors and/or assigns

This Instrument Prepared By:
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

Davidson County DEEDTRS
Recvd: 03/11/15 12:25 8 pgs
Fees:42.00 Taxes:0.00
20150311-0020836

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated February 25, 2008 and recorded March 11, 2008, as Instrument No. 20080311-0024421 in the Register's Office of Davidson County, Tennessee, Brenda Sue Upchurch conveyed to Stewart Title of Tennessee, Inc., as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns, 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, Wells Fargo Bank, NA has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on October 8, 2014 as Instrument No. 20141008-0093536 in the Register's Office 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 Wells Fargo Bank, NA has requested said Successor 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 by said beneficiary, advertisement and notice of the sale identifying all interested parties of said property was made and given conformity with the terms and provisions of said Deed of Trust, and Tenn. Code Ann. Sec. 35-5-104; said advertisement began on October 3, 2014 and was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on December 4, 2014 at the The Historic Davidson County Courthouse, One Public Square, Nashville, TN 37201 in Nashville, Tennessee, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which time the said property was struck off and sold to Wells Fargo Bank, NA, at and for the sum of $30,420.00, that being the highest and best bid offered; and

WHEREAS, the said Wells Fargo Bank, NA has assigned its interest in said property to The Secretary of Housing and Urban Development, his/her successors and/or assigns; and

WHEREAS, the purchaser has complied with the terms of the sale by paying into the hands of the undersigned Successor Trustee the expenses of the sale with the balance being applied upon said indebtedness for which said property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Wells Fargo Bank, NA of the sum of money so paid, receipt of which is hereby acknowledged, the undersigned Successor Trustee does hereby grant, bargain, sell, and convey to The Secretary of Housing and Urban Development, his/her successors and/or assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Being Lot No. 76A, on the Plan of Zone-Lot Division, Lots 74, 75 & 76, Haywood Forest, Section Three, as shown by plat of record in Plat Book 5800, Page 234, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description of said lot.
>
> Being the same property conveyed to Brenda Sue Upchurch by Warranty Deed recorded March 11, 2008, as Instrument No. 20080311-0024420, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 4836 Gillespie Drive, Antioch, Tennessee 37013-3543.
>
> Tax Parcel No.: 048-14-230.00

TO HAVE AND TO HOLD the said real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any way appertaining unto The Secretary of Housing and Urban Development, his/her successors and/or assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 10th day of Dec., 2014.

Wilson & Associates, PLLC

By: _____
Heather Martin - Herron, Attorney
Wilson & Associates, PLLC
TN Bar #32248

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Heather Martin - Herron, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 10 day of Dec., 2014.

_____
Notary Public

My Commission Expires: 10/12/22

BRITTANY SIMS Comm. No. 12390928 NOTARY PUBLIC My Comm. Exp. 10-12-2022 SALINE CO., ARKANSAS

FORM FOR OATH

I hereby swear and affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $30,420.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. However, the grantee(s) are exempt from any and all transfer taxes pursuant to TCA. § 13-23-127.

EXECUTED on this 10th day of Dec., 2014

Wilson & Associates, PLLC

By: _____
Heather Martin - Herron, Attorney
Wilson & Associates, PLLC
TN Bar #32248

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Heather Martin - Herron, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas, this 10 day of Dec., 2014.

BRITTANY SIMS
Comm. No. 12390928
NOTARY PUBLIC
My Comm. Exp. 10-12-2022
SALINE CO., ARKANSAS

Notary Public

My Commission Expires: 10/12/22

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
U.S. Department of Housing and Urban Development
c/o Michaelson, Connor & Boul, Inc.
4400 Will Rogers Parkway, Suite 300
Oklahoma City, OK 73108

FHA No. 483-383200-8

EXHIBIT "A"

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

STATE OF Arkansas

COUNTY OF Pulaski

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who states as follows:

1. Wilson & Associates, PLLC is the Successor Trustee with a certain deed of trust, dated February 25, 2008, recorded March 11, 2008, as Instrument No. 20080311-0024421 in the Register's Office of Davidson County, Tennessee, executed by Brenda Sue Upchurch in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns to secure the payment of a deed of trust note to Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns.

2. To the best of my knowledge and belief, the mortgagors holding an interest in the above-described property were (1) not members of the Armed Forces of the United States of America and had not been members of any such entities for at least twelve (12) months prior to the date of the foreclosure sale the subject hereof or (2) were members Armed Forces of the United States of America at the time the security instrument was executed, and therefore enforcement of the same is not subject to the provisions of the SCRA. See attached Department of Defense, DMDC status report.

3. As such, foreclosure of this property will not be subject to the provisions of 50 U.S.C. §501, *et seq.* (the Servicemembers Civil Relief Act).

FURTHER AFFIANT SAYETH NOT.

DATED this 10th day of Dec., 2014.

Wilson & Associates, PLLC

By: _____
Heather Martin - Herron, Attorney
Wilson & Associates, PLLC
TN Bar #32248

ACKNOWLEDGMENT

STATE OF Arkansas

COUNTY OF Pulaski

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Heather Martin - Herron, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged such person to be authorized to execute the instrument on behalf of Wilson & Associates, PLLC the within-named bargainor, a corporation, and that such, executed the foregoing instrument for the purposes therein contained by personally signing the name of the corporation.

Witness my hand and seal at office in Little Rock, Arkansas this 10 day of Dec., 2014.

BRITTANY SIMS
Comm. No. 12390928
NOTARY PUBLIC
My Comm. Exp. 10-12-2022
SALINE CO., ARKANSAS

Notary Public

My Commission Expires: 10/12/22

FHA No. 483-383200-8
DServiceMembersAffidavitTN_lsmith_141204_1619

Department of Defense Manpower Data Center

Results as of : Dec-10-2014 10:40:22 AM

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: UPCHURCH
First Name: BRENDA
Middle Name:
Active Duty Status As Of: Dec-10-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

COST OF PUBLICATION

First Insertion	**$210.00**
Second Insertion	**210.00**
Third Insertion	**210.00**
Total	**$630.00**

NOTICE OF TRUSTEE'S SALE

WHEREAS, default has occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated February 25, 2008, and the Deed of Trust of even date securing the same, recorded March 11, 2008, as Instrument No. 20080311-0024421 in Office of the Register of Deeds for Davidson County, Tennessee, executed by Brenda Sue Upchurch, conveying certain property therein described to Stewart Title of Tennessee, Inc. as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Franklin American Mortgage Company, its successors and assigns; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee.

NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable; and that an agent of Wilson & Associates, P.L.L.C., as Successor Trustee, by virtue of the power, duty, and authority vested in and imposed upon said Successor Trustee will, on **December 4, 2014 at or about 10:00 A.M.**, at the **The Historic Davidson County Courthouse, One Public Square, Nashville, TN 37201, Nashville, Tennessee**, offer for sale certain property hereinafter described to the highest bidder FOR certified funds paid at the conclusion of the sale, or credit bid from a bank or other lending entity pre-approved by the successor trustee. The sale is free from all exemptions, which are expressly waived in the Deed of Trust, said property being real estate situated in Davidson County, Tennessee, and being more particularly described as follows:

Being Lot No. 76A, on the Plan of Zone-Lot Division, Lots 74, 75 & 76, Haywood Forest, Section Three, as shown by plat of record in Plat Book 6500, Page 234, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description of said lot.

ALSO KNOWN AS: 4936 Gillespie Drive, Antioch, Tennessee 37013-3543

This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a future filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property: **Brenda Sue Upchurch**

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above. **W&A No. 1288-280661**

DATED September 24, 2014

WILSON & ASSOCIATES, P.L.L.C.,
Successor Trustee

FOR SALE INFORMATION, VISIT WWW.AUCTION.COM

Oct. 3, 10, 17, 2014 PH24368

PROOF OF PUBLICATION

THE WESTVIEW NEWSPAPER, LLC dba/ THE LEDGER, the Publisher of THE LEDGER, a weekly newspaper of general circulation printed in the State of Tennessee and distributed throughout Davidson, Williamson, Cheatham, Dickson, Wilson, Robertson, Rutherford, Sumner, Montgomery, Knox, Anderson, Blount and Sevier counties in Tennessee, states that the hereto attached publication appeared in THE LEDGER on the following dates:

October 3, 2014
October 10, 2014
October 17, 2014

THE WESTVIEW NEWSPAPER, LLC dba/ THE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **17th** day of **October 2014**, the individual above appeared before me, personally known (or proved to me on the basis of satisfactory evidence), who, being by me duly sworn did say that she is an authorized agent of the corporation (or association) of The Westview Newspaper, LLC, that the instrument was signed and sealed on behalf of the corporation (or association), by authority of its Board of Directors and **Catron Kerr** acknowledged the instrument to be the free act and deed of the corporation (or association) and that the corporation has no corporate seal.

This legal notice was published online at www.tnledger.com and www.publicnoticeads.com/tn for the duration of the run dates listed above. This publication fully complies with Tennessee Code Annotated – 1-3-120.

WITNESS my hand and Official Seal at office this **17th** day of **October 2014.**

_____
Notary Public

NOTARY PUBLIC STATE OF TENNESSEE COUNTY OF SHELBY MY COMM. EXP. APRIL 18, 2015

FPS

True Copy Certification

I, Millicent Garrett, 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.

Signature

State of ARKANSAS

County of PULASKI

Personally appeared before me, Matt Robins, a notary public for this county and state, Millicent Garrett who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 4-25-2024
Notary' Seal (if on paper)

NOTARY PUBLIC ARKANSAS
MATT ROBINS
No. 12399751
PULASKI COUNTY
Commission Expires 4-25-2024

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