FILE NO.: SPS-12-05437

BILL GARRETT, Davidson County
Trans:T20150036312 DEEDTRS
Recvd: 05/11/15 14:39 6 pgs
Fees:33.00 Taxes:1517.00
20150511-0043045

Prepared by and Return to:
Rubin Lublin TN, PLLC
119 S. Main Street, Suite 500
Memphis, TN 38103
SPS-12-05437

ADDRESSES NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBER:
Mitch Kinder Development, LLC	**Mitch Kinder Development, LLC**	**117110E01000CO**
5521 hawks landing dr Arrington, TN 37014	**5521 hawks landing dr Arrington, TN 37014**	

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by that certain Deed of Trust dated December 23, 2004 and recorded January 3, 2005, at **Instrument Number 20050103-0000237**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **RAFE VAN HOY and TANIA SMITH VAN HOY** ("Borrower") conveyed to RUDY TITLE AND ESCROW, Trustee, certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that evidenced by a certain promissory note executed on December 23, 2004, (the "Note"), which obligation is presently held by **DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF THECERTIFICATEHOLDERS OF THE MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-NC2, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-NC2**; and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, Lender, the holder of the Note evidenced by the Deed of Trust, demanded that the Property be advertised and sold in accordance with the terms of the Deed of Trust; and

WHEREAS, the undersigned, Rubin Lublin TN, PLLC, was duly appointed as Substitute Trustee in the place and stead of RUDY TITLE AND ESCROW, said appointment being set forth in **Instrument Number 20120809-0071119** in said Register's Office; and

WHEREAS, the Substitute Trustee caused a diligent search of the military records 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, the Substitute Trustee caused a diligent search of the bankruptcy records for each known Borrower and determined that Substitute Trustee was not subject to an automatic stay in bankruptcy both at the time foreclosure proceedings commenced and the time the Property was sold; and

WHEREAS, the Substitute Trustee caused notice to be published as provided for under T.C.A. §35-5-104 and as provided in the Deed of Trust and Note in The Tennessee Tribune that the Property would be sold on April 23, 2015, at 10:00 AM at the Front Entrance of the Historic Courthouse located at 1 Public Square, located in Nashville, Tennessee, such advertisement appearing in said newspaper on March 26, 2015, April 2, 2015, April 9, 2015, a copy of such notice was sent to the parties required under T.C.A. § 35-5-101(e) prior to the first publication date written above, and following such notice the default was not cured; and

WHEREAS, on April 23, 2015, the Substitute Trustee appeared and offered the property for sale, and after opening the floor for competitive bids, sold said Property to **Mitch Kinder Development, LLC** at the price of **Three Hundred Ninety-Four Thousand One Hundred and 00/100 ($394,100.00)** this being the highest, last and best bid.

NOW, THEREFORE, Rubin Lublin TN, PLLC, Substitute Trustee as aforesaid, in consideration of the premises and the sum of Three Hundred Ninety-Four Thousand One Hundred and 00/100 ($394,100.00) to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **Mitch Kinder Development, LLC** ("Grantee"), its successors and assigns, all of its right, title and interest in and to the Property, including without limitation, the following described real estate and improvements located thereon, but no further or otherwise, located in Davidson County, Tennessee, and more particularly described as follows, to wit:

BEING LOT NO. 98-B ON THE PLAN OF BENTLEY PARK CONDOMINIUMS, AS OF RECORD IN PLAT BOOK 6900, PAGE 153, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH SAID PLAN OF REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION THEREOF.THIS CONVEYANCE IS SUBJECT TO ANY AND ALL EXISTING EASEMENTS AND RESTRICTIONS AS SHOWN OF RECORD.

The source of title is recorded at Book 10032 Page 682, in the Register's Office for Davidson County, Tennessee.

This property is now or was formerly known as 3514 STOKESMONT RD., NASHVILLE, TN 37215.

To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouse's elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

Said sale will be subject to any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of Davidson County, Tennessee; any governmental zoning and subdivision ordinances or regulations in effect thereon; the accuracy of the Index Book of the said Register's Office; any right of redemption as provided for in 26 U.S.C. § 7425(d), which the Internal Revenue Service may have with respect to the Federal tax lien attached hereto, taking into account the fact that the Internal Revenue Service has been notified of the foreclosure sale pursuant to 26 U.S.C. § 7425(c); and any other matters which an accurate survey of the Property might disclose.

The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee this ___ day of APR 2 4 2015, 20___.

Rubin Lublin TN, PLLC

Printed Name: Lisa Caplan

Title: Member, Rubin Lublin, LLC, the sole member of Rubin Lublin TN, PLLC

STATE OF GEORGIA)
COUNTY OF GWINNETT)

Before me, J.Z. Marshall-Clarke, of the state and county aforesaid, personally appeared, Lisa Caplan, member of Rubin Lublin, LLC, the sole member of Rubin Lublin TN, PLLC, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself/herself to be a Member of Rubin Lublin, LLC, a Limited Liability Company, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the Limited Liability Company by himself/herself as such officer.

WITNESS my hand and seal at office in Peachtree Corners, GA, _____, this ___ day of APR 2 4 2015, 20___.

Notary Public

J Z MARSHALL CLARKE NOTARY PUBLIC JACKSON COUNTY GEORGIA EXPIRES JAN. 20, 2018

My commission expires:

1/20/18

STATE OF Tennessee)
COUNTY OF Williamson)

The actual consideration or value, whichever is greater, for this transfer is $ 410,000.00.

WITNESS my hand this 8 day of May, 2015.

David M. Kinder

Printed Name: David M Kinder

Title: Grantee/Agent

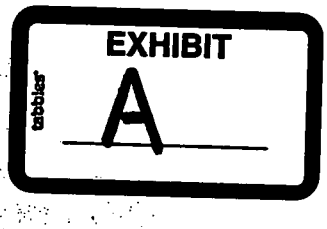
Sworn to and subscribed before me this 8 day of May, 2015.

Marina Mamazova
Notary Public

MARINA MAMAZOVA NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY

My commission expires:

October 18. 2016



RUBIN LUBLIN TN, PLLC
Attorneys and Counselors at Law
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (877) 813-0992
FAX (404) 601-5846

March 17, 2015

Internal Revenue Service
801 Broadway
MDP53
Nashville, TN 37203

COPY

Re: Notice of Federal Tax Lien/Consent to Sell

File Number	**12-05437**
Lender's Loan No.	**XXXXXX4487**
Name Per Client:	**RAFE VAN HOY AND TANIA SMITH VAN HOY**
SSN:	**XXX-XX-1096, XXX-XX-9115**
Property Address:	**3514 STOKESMONT RD., NASHVILLE, TN 37215**

Dear Sir or Madam:

Please file stamp one of the copies of the Notice of Federal Tax Lien and return to my office in the envelope provided. Our office will need a file stamped copy of the notice showing receipt of the document by the Internal Revenue Service.

Sincerely,

RUBIN LUBLIN TN, PLLC

By: _____

RECEIVED
2015 MAR 19 PM 12:24
INTERNAL REVENUE SERVICE
TECHNICAL SUPPORT
NASHVILLE, TN

RUBIN LUBLIN TN, PLLC
ATTORNEYS AND COUNSELORS AT LAW
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103
TEL (877) 813-0992
FAX (404) 601-5846

March 17, 2015

Internal Revenue Service
801 Broadway
MDP53
Nashville, TN 37203

Re: Notice of Federal Tax Lien/Consent to Sell

Case Number:	**SPS-12-05437-12**
Name Per Client:	**RAFE VAN HOY AND TANIA SMITH VAN HOY**
SSN:	**XXX-XX-1096, XXX-XX-9115**
Property Address:	**3514 STOKESMONT RD., NASHVILLE, TN 37215**

Dear Sir or Madam:

I am writing to advise you that Select Portfolio Servicing, Inc. has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on April 23, 2015. Enclosed is a copy of the Notice of Sale which is being published in the Davidson County legal newspaper. The recording information for the Security Instrument and subsequent assignments, 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 federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required by law, we have attached a copy of the specific federal tax lien(s) found. We are not certain but believe that the parties named in the federal tax lien are the same as the above-referenced borrowers' Social Security Numbers, ending in RAFE VAN HOY - XXX-XX-1096 and TANIA SMITH VAN HOY - XXX-XX-9115, or other predecessors in title.

The unpaid principal balance of the loan against the above-referenced property is approximately $416,450.00. Interest through the sale date is approximately $500.00. Costs associated with the sale should be approximately $590.00 and the attorney fees will range from $900.00 to the maximum allowable by law.

If you should have any questions about this matter, please do not hesitate to contact this office at (877) 813-0992.

Sincerely,

RUBIN LUBLIN TN, PLLC

By: _____

3592

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number
553357409

For Optional Use by Recording Office

BILL GARRETT, Davidson County
Trans:T20090039907 LIENFTL
Recvd: 06/16/09 09:40 1 pgs
Fees:12.00 Taxes:0.00
20090616-0055750

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer RAFE VAN HOY & TANIA SMITH-VAN HOY

Residence
PO BOX 159003
NASHVILLE, TN 37215-9003

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2006	XXX-XX-1096	11/05/2007	12/05/2017	32066.70

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 32066.70

This notice was prepared and signed at NASHVILLE, TN, on this,

the 03rd day of June, 2009.

Signature R. A. Mitchell
for THERESA HARLEY

Title
ACS
(800) 829-3903

25-00-0008

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X