RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Cecil W. Cone , II and Terralyn Sherree Cone

GRANTEE(s)
Fifth Third Mortgage Company

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: 09/16/15 08:55 7 pgs
Fees:38.00 Taxes:1115.55
20150916-0093738

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated April 24, 2009 and recorded April 30, 2009, Document No. 20090430-0039296 in the Register's Office of Davidson County, Tennessee, Cecil W. Cone , II and Terralyn Sherree Cone conveyed to Lehman Escrow, LLC, as Trustee for Fifth Third Mortgage Company, 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, Fifth Third Mortgage Company has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on July 10, 2015, Document No. 20150710-0066980 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 Fifth Third Mortgage Company 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 was advertised a total of three times, prior to actual sale date; and

WHEREAS, pursuant to said advertisement and notice, on September 9, 2015, 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 Fifth Third Mortgage Company, at and for the sum of $301,500.00, that being the highest and best bid offered; 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 Fifth Third Mortgage Company 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 Fifth Third Mortgage Company, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> The following described real estate located in Davidson County, Tennessee: Land in Davidson County, Tennessee, being Lot No. 2 of Cherry Grove, Phase 1A, as shown on plat of record in Instrument No. 20050815-0096231, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.
>
> Being the same property conveyed to Cecil W. Cone, II and Terralyn Sherree Cone by Warranty Deed recorded August 5, 2008, at Instrument No. 20080805-0080621 in the Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 505 Cherry Grove Lane, Whites Creek, TN 37189.
>
> Tax Parcel No.: 049-01B-002.00

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 Fifth Third Mortgage Company, its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 14 day of Sept., 2015.

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 14 day of Sept., 2015.

TANISHA DAVIS
JEFFERSON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires July 12, 2024
Commission # 12399735

_____
Notary Public

My Commission Expires: 7-12-2024

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 $301,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

EXECUTED on this 14 day of Sept., 2015

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, this 14 day of Sept., 2015.

_____
Notary Public

My Commission Expires: 7-12-2024

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Fifth Third Mortgage Company
Madisonville Operations Center
5001 Kingsley Drive, Mail Code MD 1MOBBW
Cincinnati, OH 45227

TANISHA DAVIS
JEFFERSON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires July 12, 2024
Commission # 12399735

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 April 24, 2009, recorded April 30, 2009, Document No. 20090430-0039296 in the Register's Office of Davidson County, Tennessee, executed by Cecil W. Cone , II and Terralyn Sherree Cone in favor of Fifth Third Mortgage Company to secure the payment of a Deed of Trust to Fifth Third Mortgage Company.

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 14 day of Sept., 2015.

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 14 day of Sept., 2015.

_____
Notary Public

My Commission Expires: 7-12-2024

TANISHA DAVIS
JEFFERSON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires July 12, 2024
Commission # 12399735

W&A No. 306793
Fifth Third Bank

Department of Defense Manpower Data Center

Results as of Sep 11 2015 02 26 59 PM

SCRA 3 0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CONE
First Name: TERRALYN
Middle Name:
Active Duty Status As Of: Sep-11-2015

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 387 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

Department of Defense Manpower Data Center

Results as of Sep 11 2015 02 27 00 PM

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: CONE
First Name: CECIL
Middle Name
Active Duty Status As Of: Sep-11-2015

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			

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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 April 24, 2009, and the Deed of Trust of even date securing the same, recorded April 30, 2009, Document No. 20090430-0039296, in Office of the Register of Deeds for Davidson County, Tennessee, executed by Cecil W. Cone, II and Terralyn Sherree Cone, conveying certain property therein described to Lehman Escrow, LLC as Trustee for Fifth Third Mortgage Company; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee by Fifth Third Mortgage Company.

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, by Fifth Third Mortgage Company, will, **on September 9, 2015 as or about 10:00 AM, at the On the Corner of the Bridgestone Center, 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:

The following described real estate located in Davidson County, Tennessee: Land in Davidson County, Tennessee, being Lot No. 2 of Cherry Grove, Phase 1A, as shown on plat of record in Instrument No. 20080815-0096231, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description. Being the same property conveyed to Cecil W. Cone, II, and wife, Terralyn Sherree Cone in Warranty Deed, as filed at Instrument Number 20080805-0089621 in the Register's Office of Davidson County.

ALSO KNOWN AS: 505 Cherry Grove Lane, Whites Creek, TN 37189

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 fixture 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:

CONE, II, CECIL W.
CONE, TERRALYN SHERREE
SECRETARY OF HOUSING AND URBAN DEVELOPMENT
AMERICAN EXPRESS BANK, FSB
CALVARY PORTFOLIO SERVICES, LLC

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. 306793**

DATED July 6, 2015

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

FOR SALE INFORMATION, VISIT WWW.MYFRR.COM and WWW.REALTYTRAC.COM

July 24, 31, Aug. 7, 2015 FH28164

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:

July 24, 2015
July 31, 2015
August 7, 2015

THE WESTVIEW NEWSPAPER, LLC dba/ THE LEDGER

By: _____

Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this 7th day of **August 2015,** 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 7th day of **August 2015.**

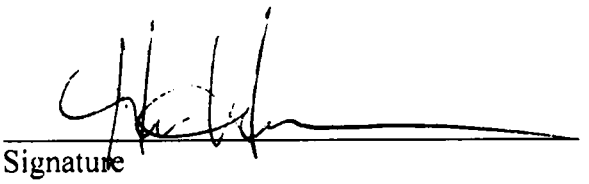
STATE OF
COUNTY OF
MY COM. EXP.

Notary Public

FPS

True Copy Certification

I, Heather Martin-Herron, 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.

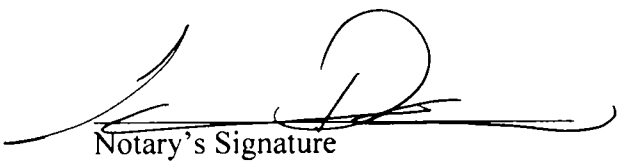


Signature

State of ARKANSAS

County of PULASKI

Personally appeared before me, Tanisha Davis, a notary public for this county and state, Heather Martin-Herron 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: _____
Notary' Seal (if on paper)

