FILE NO.: BAC-12-13772

Prepared by and Return to:
Rubin Lublin TN, PLLC
119 S. Main Street, Suite 500
Memphis, TN 38103
BAC-12-13772

Davidson County DEEDTRS
Recvd: 12/04/15 12:39 4 pgs
Fees:23.00 Taxes:815.62
**20151204-0122435**

| ADDRESSES NEW OWNER(S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP PARCEL NUMBER: |
|---|---|---|
| **AH4R-TN 3, LLC, a Delaware Limited Liability Company** | **AH4R-TN 3, LLC, a Delaware Limited Liability Company** | **141060C13300CO** |
| **30601 Agoura Road<br>Suite 200<br>Agoura Hills, CA 91301** | **30601 Agoura Road<br>Suite 200<br>Agoura Hills, CA 91301** | |

## SUBSTITUTE TRUSTEE'S DEED

TN14707

WHEREAS, by that certain Deed of Trust dated December 29, 2009 and recorded December 31, 2009, at **Instrument Number 20091231-0118733**, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), **GEORGE G. DIVENS, JR. and LATONIA R. DIVENS** ("Borrower") conveyed to ROBERT M. WILSON, JR., 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 29, 2009, (the "Note"), which obligation is presently held by **BANK OF AMERICA, N.A.**; 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 ROBERT M. WILSON, JR., said appointment being set forth in **Instrument Number 20150929-0098869** 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 November 12, 2015, at 10:00 AM at the Front Entrance of The Historic Davidson County Courthouse, One Public Square, Nashville, TN 37201, such advertisement appearing in said newspaper on October 15, 2015, October 22, 2015, October 29, 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 November 12, 2015, the Substitute Trustee appeared and offered the property for sale, and after opening the floor for competitive bids, sold said Property to **AH4R-TN 3, LLC, a Delaware Limited Liability Company** at the price of **Two Hundred Twenty Thousand Four Hundred Thirty-Nine and 00/100 ($220,439.00)** 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 Two Hundred Twenty Thousand Four Hundred Thirty-Nine and 00/100 ($220,439.00) to me in hand paid, the receipt of which is hereby acknowledged, by these presents do transfer and convey unto **AH4R-TN 3, LLC, a Delaware Limited Liability Company** ("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:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 147 ON THE FINAL PLAT OF RIVERBRIDGE, PHASE 2, SECTION 1, A PLANNED UNIT DEVELOPMENT, OF RECORD IN INSTRUMENT NO. 20090205-0009854, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE LEGAL DESCRIPTION THEREOF.

**The source of title is recorded at Instrument Number 20091231-0118732, in the Register's Office for Davidson County, Tennessee.**

This property is now or was formerly known as 4224 BLACKWATER DR, NASHVILLE, TN 37221.

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; and any other matters which an accurate survey of the Property might disclose.

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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 13th day of November, 2015.

Rubin Lublin TN, PLLC

Printed Name: Michael L. Baringer
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, Michael L. Baringer, 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 13th day of November, 2015.

Notary Public

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

My commission expires:

January 20, 2018

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES )

The actual consideration or value, whichever is greater, for this transfer is $ 220,439.00.

WITNESS my hand this 3rd day of December, 2015.

Printed Name: HELEN CHO
Title: Grantee/Agent

Sworn to and subscribed
before me this 3rd day of December, 2015.

Notary Public

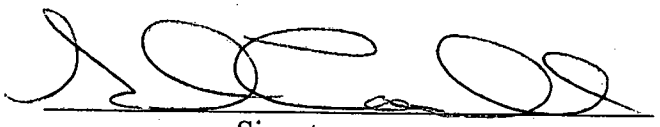
ANASTASIA SUSAN TABER
COMM. # 2110427
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMM. EXPIRES MAY 8, 2019

My commission expires:

May 8, 2019

# True Copy Certification

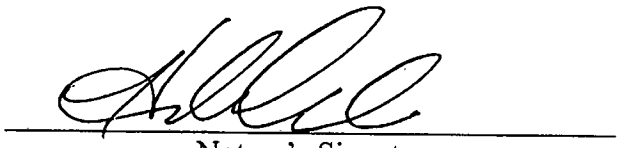
I, Eileen Caswell, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.



Signature

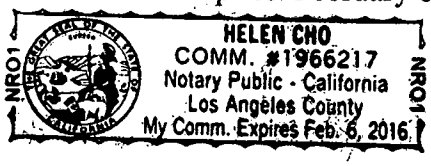
State of California
County of Los Angeles

Personally appeared before me, Helen Cho, a notary public for this county and state, Eileen Caswell 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: February 6, 2016




Notary' Seal (if on paper)