Davidson County DEEDTRS
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Fees:23.00 Taxes:577.20
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PREPARED BY
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**S&I:14-058174**
**Davidson COUNTY**
TN 15577

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated May 31, 2006, recorded in Instrument No. 20060602-0065446, in the Register's Office of Davidson County, Tennessee, Glenda J. Smith conveyed to Ronald P. Imbrecht, 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 20140624-0054789, in the Register's Office of Davidson County, Tennessee; and,

WHEREAS, the holder requested the undersigned to advertise and sell said property under the terms and provisions of said Deed of Trust; and,

WHEREAS, in pursuance of said request, the said property was by the Substitute Trustee, 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 June 17, 2016, June 24, 2016, July 1, 2016 by which advertisement the sale was appointed to be held on July 21, 2016, 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 AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY for the sum of $156,000.00, that being the highest and best bid offered; and,

WHEREAS, the purchaser, AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 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 AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY the sum of money so paid, receipt of which is hereby acknowledged, the undersigned, Shapiro & Ingle, LLP, a Tennessee limited liability partnership, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY, his/her/their/its successors and assigns, in fee simple forever, the property above mentioned and now further described as being in Nashville, County of Davidson, State of Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot No. 107, on the Plan of Creekside Trails, Phase 5, of record in Instrument #20051103-0133061 Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate legal description.
>
> Being the same property conveyed to Glenda J. Smith, unmarried, by Warranty Deed from NVR, Inc. t/a Fox Ridge Homes, to be recorded immediately prior to the recording hereof in Instrument 200606020065445, Register's Office for Davidson County, Tennessee.

The grantor received title to the above-captioned real estate by Deed of Trust of record in Instrument No. 20060602-0065446, in the Register's Office of Davidson County, Tennessee.

The last deed of record is Warranty Deed recorded in Instrument # 20060602-0065445, 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.

This conveyance is subject to the right of the United States of America to redeem the land as provided for in 26 U.S.C. 7425 (d) (1). Attached hereto is a copy of said notice and letter of compliance.

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 AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY, his/her/their/its successors and assigns, in fee simple forever, to whom the said Shapiro & Ingle, LLP, a Tennessee limited liability partnership, 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, a Tennessee limited liability partnership, Substitute Trustee, has hereunto set its hand and seal this Twenty-Fifth day of July, 2016.

Shapiro & Ingle, LLP, a Tennessee limited liability partnership

By: _____
Jonathan Davis
Authorized Signatory

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

On the 25th day of July, 2016, before me, a Notary Public, in and for said State and County, personally appeared Jonathan Davis, with whom I am personally acquainted, and who, acknowledged himself/herself to be an authorized signatory of Shapiro & Ingle, LLP, a Tennessee limited liability partnership, 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:
March 26, 2018

_____
Notary Public
Michelle Toney

MICHELLE TONEY
NOTARY PUBLIC
Mecklenburg County
North Carolina
My Commission Expires March 26, 2018

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 $156,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Jonathan Davis
Affiant - Agent

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

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

_____
My commission expires:
March 26, 2018

_____
Notary Public
Michelle Toney

MICHELLE TONEY
NOTARY PUBLIC
Mecklenburg County
North Carolina
My Commission Expires March 26, 2018

**PROPERTY ADDRESS:** 2336 Hockett Drive, Nashville, Tennessee 37218

**PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
AH4R-TN 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY
30601 AGOURA ROAD SUITE 200
Agoura Hills, CA 91301

**S&I File #14-058174**
**Map & Parcel -058 09 0A 115.00**

RETURN TO:

AH4R-TN 3, LLC
30601 Agoura Rd. Ste 200
Agoura Hills, CA 91301

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

# 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, 2020

Notary' Seal (if on paper)

HELEN CHO
COMM. #2139755
Notary Public - California
Los Angeles County
My Comm. Expires Feb. 6, 2020