RETURN TO:
THIS INSTRUMENT PREPARED BY:
Weiss & Cummins, PLLC
Attorneys at Law
208 Adams Avenue
Memphis, Tennessee 38103-1991
901-526-8296
WC #7189-0125874-FC

BILL GARRETT, Davidson County
Trans:T20160107373 DEEDTRS
Recvd: 12/07/16 08:35 4 pgs
Fees:23.00 Taxes:457.31
20161207-0128201

Tennessee
Map # 150-05-0-076.00

Jose Aguilera
DITECH

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated April 26, 2004, and recorded in Register's Instrument No. 20040618-0072403 in the Register's Office of Davidson County, Tennessee, Jose G. Aguilera and wife, Maria C. Ortega, conveyed to Archer Land Title, Inc., Trustee(s), 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, the holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in REGISTER'S INSTRUMENT NO 20160280114249 in the Register's Office of said County; and,

WHEREAS, default was made in the terms and conditions of said Deed of Trust, and the beneficiary 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 by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust by which advertisement the sale was appointed to be held on November 29, 2016, at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Bridgestone Center of Davidson County, Tennessee; and,

WHEREAS, at the time and place mentioned in said advertisement the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2004-J7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-J7, a corporation being the highest and best bidder, became the purchaser of said property at and for the sum of ONE HUNDRED TWENTY-THREE THOUSAND FIVE HUNDRED NINETY SEVEN AND 50/100'S DOLLARS; and,

WHEREAS, the purchaser, being the holder of the indebtedness, 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 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2004-J7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-J7 of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned, Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2004-J7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-J7, 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. 380 ON THE PLAN OF FOREST VIEW PARK, SECTION 2, AS OF RECORD IN BOOK 3842, PAGE 238, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH SAID PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE LEGAL DESCRIPTION THEREOF.

THIS CONVEYANCE IS SUBJECT TO ALL RESTRICTIONS, EASEMENTS, SETBACK LINES, AND ENCUMBRANCES OF RECORD IN THE REGISTER'S OFFICE FOR THE AFORESAID COUNTY.

Michael S. Bligh, Trustee of the Aguilera Revocable Living Trust , (HIS/HER/THEIR) heirs and assigns, obtained title to the above referenced real estate by Deed of record in Register's Instrument No. 20120831-0078750, Register's Office of Davidson County, Tennessee.

Subject to any unpaid taxes.

Proper notice of this sale has been given to the State of Tennessee, Department of Revenue and this sale is made subject to the redemption rights of the State of Tennessee.

If the original Trustee's sale date was postponed in accordance with TCA 35-5-101(f), all announcements and notifications were made as required therein.

TO HAVE AND TO HOLD the real property above described, together with the privileges and appurtenances and hereditaments thereunto belonging or in any wise appertaining unto THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2004-J7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-J7, its successors and assigns in fee simple forever, to whom the said Arnold M. Weiss, Substitute Trustee, warrants the title to the aforesaid real property against the lawful claims of all persons claiming by, through or under him, as such Substitute Trustee, but not further or otherwise.

Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on December 1, 2016 hereunto set his hand and seal.

ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

On December 1, 2016 before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared Arnold M. Weiss to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as Substitute Trustee and as his free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

NOTARY PUBLIC

DIXIE CHAMBERS STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 07-14-2020

My Commission Expires:

State Tax $
Clerk's Fee $

TOTAL $

PROPERTY ADDRESS
2937 Anderson Road,
Nashville, TN 37217-0000

PROPERTY OWNER AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:

The Bank of New York Mellon
c/o Ditech Financial
2100 East Elliot Rd, Building 94
Mail Drop T-140
Tempe, AZ 85284

Mortgagee: None

STATE OF TENNESSEE – COUNTY OF SHELBY
THE ACTUAL CONSIDERATION OF TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $123,597.50
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, December 1, 2016
NOTARY PUBLIC
MY COMMISSION EXPIRES

DIXIE CHAMBERS STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY My Commission Expires 07-14-2020

WC #7189-0125874-FC

WEISS & CUMMINS, PLLC

ATTORNEYS AT LAW

208 ADAMS AVENUE
MEMPHIS, TN 38103-1991

TELEPHONE: 901-526-8296
FACSIMILE: 901-526-3061
WWW.WEISSCUMMINS.COM

ARNOLD M. WEISS
THEODORE K. CUMMINS
ELIZABETH ANN CASH

October 24, 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Department of Revenue
State of Tennessee
12th Floor
Volunteer Plaza Building
500 James Robertson Parkway
Nashville, Tennessee 37245

Re: Section 67-6035 Notice of Sale
Jose Aguilera
2937 Anderson Road
Nashville, TN 37217-0000
Ditech Loan #82892191

Gentlemen:

We represent The Bank of New York Mellon FKA The Bank of New York, As Trustee for the Certificateholders of CWALT, INC., Alternative Loan Trust 2005-67CB, Mortgage Pass-Through Certificates, Series 2005-67CB, the holder of a Promissory Note executed by Jose G. Aguilera and wife, Maria C. Ortega, dated April 26, 2004 in the original amount of $$119,000.00. The note is secured by a First Deed of Trust of the same date which is of record in Register's Instrument No. 20040618-0072403, Register's Office of Davidson County, Tennessee. The note is in default and the principal balance and interest due on the indebtedness have been accelerated in accordance with the terms and conditions of the instruments and the foreclosure sale has been scheduled for November 29, 2016.

It is our understanding that the State of Tennessee Department of Revenue has filed a Notice of State Tax Lien against the property, therefore, in accordance with T.C.A 67-1-1433, we are submitting the following:

1. This notice is submitted by Arnold M. Weiss, attorney, 208 Adams Avenue, Memphis, Tennessee, 38103, on behalf of Ditech Financial LLC.

2. A copy of the lien filed by the State of Tennessee of record in Register's Instrument No. 20100406-0025768, Register's Office of Davidson County, Tennessee, is attached.

WEISS & CUMMINS, PLLC

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ARNOLD M. WEISS
THEODORE K. CUMMINS
ELIZABETH ANN CASH

3. The street address of the property affected by this notice is 2937 Anderson Road, Nashville, Davidson County, Tennessee, said property being more particularly described as:

Land in Davidson County, Tennessee, being Lot No. 380 on the Plan of Forest View Park, Section 2, as of record in Book 3842, page 238, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

4. The real property herein described will be sold at public auction for cash on November 29, 2016 commencing at 12:00 PM at the outside door of the Register of Deeds office located at 501 Broadway Suite 501, Bridgestone Center, Nashville, Davidson County, Tennessee. A copy of the advertisement of the Substitute Trustee's Sale is also enclosed.

5. The approximate amount of the principal indebtedness is $109,026.96 as of April 1, 2011 with accrued interest at the rate of $25.36 per day from plus the expenses and attorney's fees and trustee's fees incurred in connection with this foreclosure. It is not anticipated that additional costs and expenses in this foreclosure will exceed the sum of $1,800.00.

Please accept this letter as the twenty-five (25) day notice required by T.C.A. 67-1-1433(b), which notice must be given to the Commissioner of Revenue or his delegate. Please advise immediately if there is any deficiency in this notice.

Yours very truly,

Arnold M. Weiss

ARNOLD M. WEISS

AMW:ph
Enclosure

2. Article Number

9414 7266 9904 2060 8882 10

3. Service Type **CERTIFIED MAIL®**

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

1. Article Addressed to:

Department of Revenue
State of Tennessee
12th Floor
Volunteer Plaza Building
500 James Robertson Parkway
Nashville, Tennessee 37245

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) | B. Date of Delivery

C. Signature: C & I Iren Greene

X NOV 04 2016 ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

PS Form 3811, January 2005 Domestic Return Receipt