**RECORDING LEGEND**

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

**GRANTOR(s)**
**Gary Helton and Carol Helton**

**GRANTEE(s)**
**James Deatrick, Jr. and Daryl Spicer**

This Instrument Prepared By:
*WILSON & ASSOCIATES, P.L.L.C.*
1521 Merrill Drive
Suite D-220
Little Rock, AR 72211
(501)219-9388

BILL GARRETT, Davidson County
Trans:T20170002924 DEEDTRS
Recvd: 01/11/17 14:40 5 pgs
Fees:28.00 Taxes:254.84
20170111-0003322

# TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated March 7, 2006 and recorded March 8, 2006, Document No. 20060308-0026950 in the Register's Office of Davidson County, Tennessee, Gary Helton and Carol Helton conveyed to Stewart Title of Tennessee, Inc., as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Decision One Mortgage Company, LLC, its successors and assigns, 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, Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4 has appointed **Wilson & Associates, PLLC**, Successor Trustee by instrument of record recorded on April 14, 2016, Document No. 20160414-0035552, in Book No. NA, at Page NA 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 Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4 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 January 4, 2017; and on said date the sale was announced to be postponed to January 4, 2017; and

WHEREAS, pursuant to the attached Department of Defense DMDC status report, 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. 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).

WHEREAS, pursuant to said advertisement and notice, on January 4, 2017; 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 James Deatrick, Jr. and Daryl Spicer, at and for the sum of $68,877.00, 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 James Deatrick, Jr. and Daryl Spicer 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 the said James Deatrick, Jr. and Daryl Spicer, its successors and assigns, the property above mentioned and now further described as being in Davidson County, Tennessee, to wit:

> Land in Davidson County, Tennessee, being all of Lot No. 129, on the Plan of Hidden Hill, as shown by plat appearing of record in Plat Book 4860, Page 43, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lot.
>
> Being the same property conveyed to Gary Helton and Carol Helton by Warranty Deed recorded March 8, 2006, Document No. 20060308-0026949 in the Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 4823 Shadowlawn Drive, Hermitage, TN 37076-1713.
>
> Tax Parcel No.: 076 05 123.00

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 James Deatrick, Jr. and Daryl Spicer, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 9 day of Jan, 2017.

Wilson & Associates, PLLC

By: _____
Maria Yoder
Wilson & Associates, PLLC
TN Bar # 30713

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Maria Yoder, 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 9 day of January, 2017.

SONJA WALKER
MY COMMISSION # 12377629
EXPIRES: July 20, 2020
Pulaski County

_____
Notary Public

My Commission Expires: 7/20/20

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 $68,877.00, 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 11th day of January 2017

_____
James Deatrick, Jr.

_____
Daryl Spicer

ACKNOWLEDGMENT

STATE OF TN

COUNTY OF WILSON

Personally appeared before me, a Notary Public of the state and county aforesaid, duly commissioned and qualified, James Deatrick Jr. + *, with who I am personally acquainted, and whom acknowledged that such person executed the within instrument for the purposes therein contained.

*Daryl Spicer

Witness my hand and seal at office in Mt. Juliet, TN this 11th day of January, 2017.

_____
Notary Public

My Commission Expires: 3-27-18

MORGAN O'NEILL
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

**PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:**
James Deatrick, Jr. and Daryl Spicer
1285 N. Mount Juliet Rd
Mount Juliet 37122

W&A No. 226359
Wells Fargo Bank, N.A.
Conventional

Department of Defense Manpower Data Center

Results as of : Jan-09-2017 05:35:55 AM

SCRA 3.0

# Status Report
# Pursuant to Servicemembers Civil Relief Act

Birth Date:

Last Name: HELTON

First Name: GARY

Middle Name:

Active Duty Status As Of: Jan-09-2017

| 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 | | | |

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 : Jan-09-2017 05:35:53 AM

SCRA 3.0

# Status Report
# Pursuant to Servicemembers Civil Relief Act

[redacted]

Birth Date:

Last Name: HELTON

First Name: CAROL

Middle Name:

Active Duty Status As Of: Jan-09-2017

| 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 | | | |

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

**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 March 7, 2006, and the Deed of Trust of even date securing the same, recorded March 8, 2006, Document No. 20060308-0026950, in Office of the Register of Deeds for Davidson County, Tennessee, executed by Gary Helton and Carol Helton, conveying certain property therein described to Stewart Title of Tennessee, Inc. as Trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Decision One Mortgage Company, LLC, its successors and assigns; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Successor Trustee by Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4.

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 Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4, will, on **January 4, 2017 on or about 10:00 AM, at the Bridgestone Arena, 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:

**Land in Davidson County, Tennessee, being all of Lot No. 129, on the Plan of Hidden Hill, as shown by plat appearing of record in Plat Book 4860, Page 43, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lot.**

**ALSO KNOWN AS: 4823 Shadowlawn Drive, Hermitage, TN 37076-1713**

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:

GARY HELTON
CAROL HELTON

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. 226359**

DATED November 23, 2016

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

**FOR SALE INFORMATION, VISIT WWW.MYFIR.COM and WWW.REALTYTRAC.COM**

Dec. 2, 9, 16, 2016 FII34333

**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 and Maury counties in Tennessee, states that the hereto attached publication appeared in THE LEDGER on the following dates:

**December 2, 2016**
**December 9, 2016**
**December 16, 2016**

**THE WESTVIEW NEWSPAPER, LLC dba/ THE LEDGER**

**By:** _____
**Catron J. Kerr, Administrative Assistant**

STATE OF TENNESSEE

On this **16th** day of **December 2016,** 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 **16th** day of **December 2016.**

_____
**Notary Public**

TASHA B. PAYNE
STATE OF TENNESSEE
NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. FEB. 23, 2018

**WILSON**