RECORDING LEGEND

PLEASE RECORD IN THE
APPROPRIATE REAL ESTATE RECORDS

GRANTOR(s)
Joe W. Schmitt

GRANTEE(s)
Eric Sox and George Brandt,
A one half undivided interest each

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:T20170032567 DEEDTRS
Recvd: 04/18/17 14:13 4 pgs
Fees:23.00 Taxes:139.57
20170418-0037897

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated January 15, 2014 and recorded January 22, 2014, Document No. 20140122-0006210 in the Register's Office of Davidson County, Tennessee, Joe W. Schmitt conveyed to C. Loy Carney, 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 January 25, 2017, Document No. 20170125-0008300 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 February 7, 2017; and on said date the sale was announced to be postponed to April 11, 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 February 7, 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 Eric Sox and George Brandt , A one half undivided interest each, at and for the sum of $37,721.00, 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 Eric Sox and George Brandt , A one half undivided interest each 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 Eric Sox and George Brandt , A one half undivided interest each, 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 Unit 106, CHURCHILL CROSSING CONDOMINIUMS, PHASE 1, BUILDING 1, as established under Master Deed of record in Book 7792, Page 915, amended in Book 7804, Page 616, Book 7845, Page 540. Book 10635, Page 110, Book 10996, Page 199 and Instrument No. 20050829-0103075, in the Registers Office, Davidson County, Tennessee, to which master deed reference is hereby made for a more particular description of said unit.
>
> Being the same property conveyed to Joe W. Schmitt by Warranty Deed recorded April 3, 2003, at Instrument Number 20030403-0044291 in the Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 106 Churchill Crossing, Unit 106, Madison, TN 37115.
>
> Tax Parcel No.: 034-03-0B-106.00

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 Eric Sox and George Brandt , A one half undivided interest each, and unto its successors and assigns.

IN WITNESS WHEREOF, the said Successor Trustee has hereunto set his or her hand and seal this 13 day of April, 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 13th day of April, 2017.

NOTARY PUBLIC ARKANSAS
MATT ROBINS
No. 12399751
PULASKI COUNTY
Commission Expires 4-25-2024

_____
Notary Public

My Commission Expires: 4-25-2024

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 $37,721.00, 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 _____day of _____, _____

\

_____
Eric Sox, A one half undivided interest each

_____
George Brandt, A one half undivided interest each

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

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

Witness my hand and seal at office in _____ this _____ day of _____, _____.

_____
Notary Public

My Commission Expires: _____

PROPERTY OWNER OR AGENCY RESPONSIBLE FOR PAYMENT OF TAXES:
Eric Sox and George Brandt, A one half undivided interest each
70 51 Highway 70 S. Suite Number 315
Nashville 37221

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$ ~~37,721~~ 37,721
_____, **Affiant**
Subscribed and sworn before me this the 18 Day of April, 2017.
Abby Godman, **Deputy Register**

Department of Defense Manpower Data Center

Results as of : Apr-13-2017 12:44:24 PM

SCRA 3.0

Status Report
Pursuant to Servicemembers Civil Relief Act

Birth Date:

Last Name: SCHMITT

First Name: JOE

Middle Name:

Active Duty Status As Of: Apr-13-2017

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.

Michael V. Sorrento

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 January 15, 2014, and the Deed of Trust of even date securing the same, recorded January 22, 2014, Document No. 20140122-0006210, in Office of the Register of Deeds for Davidson County, Tennessee, executed by Joe W. Schmitt, conveying certain property therein described to C. Loy Carney 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 **February 7, 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 Unit 106, CHURCHILL CROSSING CONDOMINIUMS, PHASE 1, BUILDING 1, as established under Master Deed of record in Book 7792, Page 915, amended in Book 7804, Page 616, Book 7845, Page 540, Book 10635, Page 110, Book 10996, Page 199 and Instrument No. 20050829-0103075, in the Registers Office, Davidson County, Tennessee, to which master deed reference is hereby made for a more particular description of said unit.

ALSO KNOWN AS: 106 Churchill Crossing, Unit 106, Madison, TN 37115

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: JOE W. SCHMITT

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. 318486**

DATED November 30, 2016

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

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

Dec. 9. 16. 23. 2016 FI34379

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 9, 2016
December 16, 2016
December 23, 2016

THE WESTVIEW NEWSPAPER, LLC dba/ THE LEDGER

By: _____
Catron J. Kerr, Administrative Assistant

STATE OF TENNESSEE

On this **23rd** 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 **23rd** day of **December 2016.**

_____
Notary Public

WILSON