

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, TIMOTHY S. SMITH and wife, DIANE SMITH, executed, acknowledged and delivered to MARK GAMBLE, Trustee, a certain Deed of Trust dated the 3rd day of November, 2006, and of record in Deed Book 834, Page 663, and modified in Deed Book 931, Page 7; Deed Book 976, Page 661; Deed Book 996, Page 709; Deed Book 1001, Page 741; Deed Book 1009, Page 724, Deed Book 1016, Page 545; and Deed Book 1023, Page 79 in the Register's Office for Hawkins County, Tennessee, to secure a certain indebtedness owing to First Community Bank of East Tennessee and more fully described therein;

WHEREAS, on the 14th day of April, 2020, the holder of the note securing the indebtedness executed an appointment of Substitute Trustee nominating and appointing KENNETH CLARK HOOD, Substitute Trustee, instead of the said MARK GAMBLE, Trustee, said Substitution of Trustee recorded in Deed Book 1346, Page 744, in the Register's Office for Hawkins County, Tennessee; and

WHEREAS, default has been made in the payment of said indebtedness, notice of default was given, and the same has become due and payable and the owner and holder of said indebtedness has declared the entire balance owing thereon due and payable, has given notice of acceleration, and has instructed the said Trustee to foreclose said Trust Deed and to advertise and sell the property therein and herein described, upon the terms and conditions set forth in said Trust Deed;

NOW, THEREFORE, notice is hereby given that I will on the 12th day of June, 2020, at 10:30 A.M. prevailing standard time in Hawkins County, Tennessee, at the front entrance of the Hawkins County Courthouse in downtown Rogersville, Tennessee, sell the following described real estate at public auction, for cash, to the highest bidder, and in bar of the equity of redemption, the statutory right of redemption, dower and homestead, but subject to all liens, encumbrances, easements, rights-of-way, set-back lines, restrictions, covenants, current and delinquent property taxes (ad valorem taxes), environmental claims, and the rights of any purchaser at a property tax sale and/or rights of redemption arising from a property tax sale, affecting the subject property which are not extinguished by the foreclosure of the subject deed of trust. The property to be sold is described as follows:

Located the Town of Rogersville, 4th Civil District of Hawkins County, Tennessee, lying on and to the west of Colonial Road, adjoined on the north and west by property of Janelle Burdette, on the south by property retained by Daisy June Smith, and on the east by the said Colonial Road, to-wit:

BEGINNING at an iron rod in the western margin of Colonial Road, southeastern corner of property of Janelle Burdette, and running thence with line of property of Janelle Burdette, three courses and

distances as follows: S. 67° 45' 47" W., 205.77 feet to a post; S. 28° 58' 33" E., 68.20 feet to a snag; and S. 7° 24' 00" E., 161.80 feet to a 6" sassafras, northwestern corner of property retained by Daisy June Smith. Thence establishing a division line between the property here conveyed and property retained by Daisy June Smith, N. 64° 39' 22" E., 255.85 feet to an iron rod in the western margin of Colonial Road, northeastern corner of property retained by Daisy June Smith. Thence with said margin of said Road, N. 26° 39' 47" W., 210.90 feet to the iron rod at the point of BEGINNING, containing 1.10 acres, more or less, and being all the property conveyed to Tim S. Smith and wife, Diane Smith by deed of record in the Register's Office for Hawkins County at Rogersville, Tennessee, in Deed Book 390 at page 303, to which reference is hereby expressly made.

The address of the Subject Property as shown on the tax records for Hawkins County, Tennessee, is 332 Colonial Road, Rogersville, Tennessee. (Map 10P, Group E, Parcel 018.01)

It will be the responsibility of the successful bidder to obtain possession of the property at his expense. The successful bidder shall be responsible for any damage, vandalism, theft, destruction, etc., to the property. This sale may be subject to valid filed or unfiled mechanic's and materialmen's liens. No representations are made as to the validity or enforceability of any memorandum of mechanic's liens or any suit to enforce the same.

Interests in the property other than the Deed of Trust being foreclosed or matters affecting title known to the undersigned include the following:

1. Hawkins County and Rogersville City taxes for the year 2020 are not yet due and payable but constitute a lien on the premises. Hawkins County and Rogersville City have been paid through the year 2017. Hawkins County and Rogersville City taxes are delinquent for the years 2018 and 2019 in the amount of \$3,818.30, but interest and penalties continue to accrue on this amount. The exact amount owing can be obtained from the local taxing authorities. There is personal property tax assessed to Tax Parcel Identification No. 101P-E-101I-018.01P for Luke Smith & Son Excavating. The property address for the personal property is 678 Heck Hollow Road, Rogersville, Tennessee. The lien of the 2018 county taxes in the base amount of \$933.00, \$1,251.00 if paid by 4/30/20. The lien of the 2019 county taxes in the base amount of \$1,215.00, \$1,251.00 if paid by 4/30/20. There are no city taxes assess as personal property.

2. Any other covenants, restrictions, reservations and conditions which affect the subject property which are not of public record.

3. Such conditions as an up-to-date accurate survey or physical inspection of the premises might disclose.

4. Public rights-of-way.

5. All property is subject to zoning ordinances which control the uses which may be made of the property. The undersigned makes no representation as to the uses which can be made of the premises in compliance with the applicable zoning ordinances.

6. Rights of parties in possession, if any.

The sale will be made as Substitute Trustee only, without covenants of seizen or warranties of title, and subject to all liens, encumbrances, easements, rights-of-way, set-back lines, restrictions, covenants, current and delinquent property taxes (ad valorem taxes), environmental claims, and the rights of any purchaser at a property tax sale and/or rights of redemption arising from a property tax sale, affecting the subject property which are not extinguished by the foreclosure of the subject deed of trust.

The proceeds derived from the sale of said property will be applied to the payment first to the expenses of this sale, including attorney's fees, then to the payment in full of the indebtedness including interest secured by said Trust Deed, and the balance, if any, to be paid to the parties legally entitled thereto.

This sale may be postponed or adjourned from time to time without readvertising the sale, and may be dismissed and the sale not conducted. The acting Trustee or any Substitute Trustee is authorized to appoint an agent or an auctioneer to conduct the sale, and any sale so made shall have the same validity as if made by the original Trustee. The sale shall be for cash, to the highest bidder.

Dated this the 15th day of May, 2020.



KENNETH CLARK HOOD
Substitute Trustee