

NOTICE OF SALE

WHEREAS, Curtis Equipment Sales, LLC defaulted in the payment and performance of certain debts and obligations to SimplyBank, secured by real property, equipment, vehicles, and other personal property more particularly described below (“Secured Property”). This is to provide notice that SimplyBank., by and through its Substitute Trustee, Wade K. Cannon, Esq., and Tays Realty & Auction, LLC, will conduct the sale of the Secured Property on the 15th day of July, 2022 beginning at 11:00 a.m. Eastern Daylight Time (“EDT”) or 10:00 a.m. Central Daylight Time (“CDT”) at the front of the Courthouse Annex Building, 101 Mulberry Street, Loudon, Tennessee 37774 (“Annex”). The sale of the Secured Property will be conducted with live bidding at the Annex beginning at 11:00 a.m. EDT or 10:00 a.m. CDT and with online bidding being offered at www.taysauctions.com, beginning on the 24th day of May and the online bidding to close at 11:00 a.m. EDT or 10:00 a.m. CDT the 15th day of July, 2022 or three (3) minutes after the last live or online bid is received (if during the final three (3) minutes of this sale the highest bid is upset by a higher bid, the closing time of the sale will be extended three (3) minutes to allow the upset bidder or any other bidder to counter) with the Secured Property to be sold to the highest and best bidder. Please see the full terms on the auctioneer’s website listed above.

WHEREAS, default having been made in the payment of the debts and obligations secured to be paid by that certain Deed of Trust executed the 26th day of November 2019 (“Deed of Trust”), by Scott E. Curtis, Successor Trustee of the Wanda F. Curtis 2011 Revocable Trust and Ralph E. Curtis, Trustee of the Ralph E. Curtis 2011 Revocable Trust, to Geoff Robinson, Trustee, as the same appears of record in the Office of the Register of Deeds in Loudon County, Tennessee, in Book T1434, beginning at Page 155, to which reference is hereby made; and

WHEREAS, the undersigned, Wade K. Cannon, was appointed as Substitute Trustee under said First Priority Deed of Trust by instrument recorded in Book T1525, beginning at Page 819, in said Register of Deeds Office; and

WHEREAS, notice to the Debtor and Co-Debtor, if any, was provided pursuant to Tenn. Code Ann. § 35-5-101; and

WHEREAS, the undersigned, Wade K. Cannon, having been appointed Substitute Trustee as set forth above, and the owner of the debts secured, SimplyBank. formerly doing business as Community National Bank, having requested the undersigned to advertise and sell the property described and conveyed by said Deed of Trust, all of said indebtedness having matured by default in payment thereof, at the option of the owner, this is to give notice that the undersigned will on the 15th day of July 2022, commencing at 11:00 a.m. EDT at the front of the Loudon County Annex Building, 101 Mulberry Street, #202, Loudon, Tennessee, 37774 proceed to sell at public auction (including online bidding as described above) to the highest and best bidder for cash said real property and improvements, commonly known as **6995 Davis Ferry Road, Loudon, Tennessee 37774 (Tax Map Parcel Numbers: 042-063.00 and 042-063.00-SI-001)**, and more particularly described as follows:

Land situated in the First (1st) Civil District of Loudon County, Tennessee, more particularly described as follows:

BEGINNING at an old iron pin along the right of way of Davis Ferry Road and come to the property line of Parcel 062.00; thence leaving the right of way of Davis Ferry Road and following the line of Parcel 062.00 North 29 degrees 44 minutes West 469.24 feet to an old iron pin; thence following the line of Parcel 062.00 South 59 degrees 12 minutes West 150.23 feet to an old iron pin at a corner to Parcel 061.00; thence leaving the line of Parcel 062.00 and following the line of Parcel 061.00 North 29 degrees 44 minutes West 223.80 feet to an old iron pin; thence following the line of Parcel 061.00 North 04 degrees 00 minutes East 246.49 feet to an old iron pin; thence following the line of Parcel 061.00 North 67 degrees 37 minutes East 456.16 feet to a new iron pin at a corner of Parcel 061.00 and Parcel 064.00; thence leaving Parcel 061.00 and following the line of Parcel 064.00 North 67 degrees 37 minutes East 124.77 feet to a new iron pin; thence following the line of Parcel 064.00 South 43 degrees 24 minutes

East 594.63 feet to a new iron pin; thence following the line of Parcel 064.00 South 49 degrees 47 minutes East 218.24 feet to an old iron pin at the corner of Parcel 064.00 and the right of way of Davis Ferry Road; thence leaving the line of Parcel 064.00 and following the right of way of Davis Ferry Road South 57 degrees 27 minutes West 300.00 feet to an old iron pin; thence following the right of way of Davis Ferry Road South 57 degrees 28 minutes West 478.99 feet to the point of BEGINNING, according to survey of Stanley E. Hinds, TN RLS No. 967, dated September 26, 2016.

Being the same property conveyed to Wanda F. Curtis, Trustee of the Wanda F. Curtis 2011 Revocable Trust (a one-half interest) and Ralph E. Curtis, Trustee of the Ralph E. Curtis 2011 Revocable Trust (a one-half interest) by Quitclaim Deed from Wanda F. Curtis, Trustee of the Wanda F. Curtis 2011 Revocable Trust and Ralph E. Curtis, Trustee of the Ralph E. Curtis 2011 Revocable Trust of record in Book D391, Page 890, Register's Office for Loudon County, Tennessee, dated February 22, 2017 and recorded on February 23, 2017.

SUBJECT TO Any governmental zoning and/or subdivision ordinance or regulation in effect thereon.

SUBJECT TO Notes contained on plat recorded in Plat Cabinet J, Slide 92, in the Register's Office of Loudon County, Tennessee.

SUBJECT TO Application for Greenbelt Assessment-Agricultural of record in Book T1359, Page 283 and Book T1123, Page 752, in the Register's Office for Loudon County, Tennessee.

SUBJECT TO Transmission Line easements of record in Book 345, Page 711, Page Book J, Page 92, in the Register's Office for Loudon County, Tennessee.

All rights and equity of redemption, homestead, right to an elective share, and all other exemptions are expressly waived in said Deed of Trust and title is believed to be good, but I will sell and convey only as Substitute Trustee.

Title to said property may be subject to tax liens of the United States of record in the Register's Office of Loudon County, Tennessee, in Lien Book L54, Page 380, Lien Book L54, Page 618, Lien Book L54, Page 657, Lien Book L55, Page 675, Lien Book L55, Page 808, Lien Book L55, Page 809, and Lien Book L55, Page 810, and said liens, pursuant to 26 U.S.C. §7425(b) require notice to be given to the United States in order for the sale of the real property advertised herein not to be subject to such lien or claim of lien of the United States. Wade K. Cannon, as Substitute Trustee, has given to the United States timely notice of the sale of said real

property pursuant to the provisions of 26 U.S.C. §7425(b). For each and every such lien or claim of lien of the United States identified above, the sale of said real property advertised herein, will be subject to the right of the United States to redeem said real property as provided for in 26 U.S.C. § 7425(d).

Title to said property may be subject to Tax Liens of the State of Tennessee of record in the Register's Office of Loudon County, Tennessee, in Book L54, Page 855, Book L55, Page 265, and Book L55, Page 577, and said liens pursuant to T.C.A. § 67-1-1433(b)(1) require notice to be given to the State of Tennessee in order for the sale of the real property advertised herein not to be subject to such lien or claim of the State of Tennessee. Wade K. Cannon, as Substitute Trustee, has given to the State of Tennessee timely notice of the sale of said real property pursuant to the provisions of T.C.A. § 67-1-1433(b)(1). For each and every such lien or claim of lien of the State of Tennessee identified above, the sale of said real property advertised herein, will be subject to the right of the State of Tennessee to redeem said real property as provided for in T.C.A. § 67-1-1433(c)(1).

Substitute Trustee, upon information and belief, understands that the following liens or encumbrances may exist on the property and this Notice of Sale has been provided to the holders of said deeds of trust and encumbrances by placing this Notice in the United States mail addressed to said holders at the addresses provided in said deed or deeds of trust and/or encumbrance(s):

Federal Tax Lien against Ralph Curtis and Curtis Equipment Co. recorded at Lien Book L54, Page 380 on January 8, 2021 in the amount of \$83,404.64;

Federal Tax Lien against Curtis Equipment Sales, LLC recorded at Lien Book L54, Page 618 on March 15, 2021 in the amount of \$37,684.36;

Federal Tax Lien against Curtis Equipment Sales, LLC recorded at Lien Book L54, Page 657 on April 5, 2021 in the amount of \$84,443.32;

Federal Tax Lien recorded against Curtis Equipment Sales, LLC at Lien Book L55, Page 675 on January 10, 2022 in the amount of \$60,695.64;

Federal Tax Lien recorded against Ralph E. Curtis at Lien Book L55, Page 808 on February 14, 2022 in the amount of \$15,749.61;

Federal Tax Lien against Scott E. Curtis recorded at Lien Book L55, Page 809 on February 14, 2022 in the amount of \$15,749.61; and

Federal Tax Lien against Belinda L. Bright recorded at Lien Book L55, Page 810 on February 14, 2022 in the amount of \$15,749.61;

Mailed to:

Internal Revenue Service
Advisory Group Manager
801 Broadway, MDP53
Nashville, TN 37203

Tennessee Department of Labor & Workforce Development Tax Lien against Ralph E. Curtis and D/B/A Curtis Equipment Sales recorded on May 24, 2021 at Lien Book L54, Page 855;

Tennessee Department of Revenue Tax Lien against Curtis Transportation Company, LLC recorded on September 20, 2021 at Lien Book L55, Page 265;

Tennessee Department of Revenue Tax Lien against Curtis Equipment Sales, LLC recorded on December 13, 2021 at Lien Book L55, Page 577;

Mailed to:

Tennessee Department of Labor & Workforce Development
Employment Security Division
UI Recovery
Atten: Director Robin Betts
220 French Landing Drive
Nashville, TN 37243

Legal Department
Tennessee Department of Labor & Workforce
3rd Floor
220 French Landing Drive
Nashville, TN 37243

Tennessee Department of Revenue
Special Procedures Section
Post Office Box 190665
Nashville, TN 37219-0665

Mr. David Gerregano, Commissioner
Tennessee Department of Revenue
Attention: Director Tax Enforcement Division
500 Deaderick Street
Andrew Jackson Building, Room 1200
Nashville, TN 37242-1099

Judgment lien against Curtis Equipment Sales, LLC and Ralph Eugene Curtis in the principal amount of \$59,920.61 in favor of Direct Capital, a Division of CIT Bank, N.A. recorded on December 6, 2021 in Book 55, beginning at Page 552;

Mailed to:
Matthew W. Gaves, Esq., and Jason L. Rogers, Esq.
Hodges, Doughty & Carson, PLLC
617 Main Street
Knoxville TN, 37902

all recorded in the Register's Office of Loudon County, Tennessee.

Title is to be conveyed subject to all prior liens, deeds of trusts, easements, assessments, covenants, zoning ordinances, restrictions, conditions, encumbrances, any matters of record recorded in the Register's Office of Loudon County, Tennessee, any matters which might be disclosed by an accurate survey and inspection of the property, and any restrictions that may exist, including, without limitation, any unpaid ad valorem taxes, real property taxes, or other taxes.

WADE K. CANNON
320 McCallie Avenue
Chattanooga, Tennessee 37402
(423) 756-5171

SUBSTITUTE TRUSTEE

PUBLISHED:

June 22, 2022

June 29, 2022

July 6, 2022