

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, ROBERT MARK NICHOLS, JR., UNMARRIED, AND STACY TINDLE, UNMARRIED, AS TENANTS IN COMMON WITH RIGHTS OF SURVIVORSHIP by Deed of Trust (the "Deed of Trust"), dated 4/24/2023 and of record in Deed Book 1311, Page(s) 586-601, and/or as Instrument Number 245704, in Register's Office of McMinn County, Tennessee, conveyed to Burns, Henry & Kirksey, P.C., Trustee, the hereinafter described real property to secure the payment of a certain Promissory Note (the "Note") described in the Deed of Trust, which Note was payable to CMG Mortgage, Inc. dba CMG Home Loans, and subsequently assigned to Freedom Mortgage Corporation, and

WHEREAS, Nestor Solutions of Tennessee, LLC has been duly appointed Substitute Trustee by the owner and holder of the Note by instrument recorded in Deed Book 9, Page(s) 694-696 and/or as Instrument Number 275275 in Register's Office of McMinn County, Tennessee; and

WHEREAS, default has been made in the payment of the Note; and

WHEREAS, the owner and holder of the Note has demanded that the hereinafter described real property be advertised and sold in satisfaction of the indebtedness and costs of foreclosure in accordance with the terms and provisions of the Note and Deed of Trust. The notice requirements of T.C.A. §35-5-101 and 35-5-104 have been satisfied.

NOW, THEREFORE, notice is hereby given that an agent of Nestor Solutions of Tennessee, LLC, Substitute Trustee, pursuant to the power, duty, and authority vested in and conferred by the Deed of Trust, will proceed to sell the below-mentioned property on **8/13/2026, at 2:00 PM at the Front Entrance of the McMinn County Courthouse, 6 East Madison Avenue, Athens, TN 37303**, to the highest call bidder for cash free from all legal, equitable and statutory rights of redemption, exemptions of homestead, rights by virtue of marriage, and all other exemptions of every kind, all of which have been waived in the Deed of Trust, certain real property located in McMinn County, Tennessee, described as follows:

TRACT ONE:

SITUATED IN THE THIRD CIVIL DISTRICT OF MCMINN COUNTY, TENNESSEE, THE SAME BEING LOT TWENTY-THREE (23) IN BLOCK A, OF THE BLUFF SPRINGS ADDITION TO THE CITY OF ATHENS, TENNESSEE, AS SHOWN BY PLAT OF RECORDED IN PLAT CABINET A, SLIDE 77 (FORMERLY PLAT BOOK 1, PAGE 144), IN THE REGISTER'S OFFICE FOR MCMINN COUNTY, TENNESSEE, TO WHICH REFERENCE IS HERE MADE.

TRACT TWO:

SITUATED IN THE THIRD CIVIL DISTRICT OF MCMINN COUNTY, TENNESSEE, AND BEING FIVE (5) FEET OFF OF THE SOUTHWEST SIDE OF LOT NO. TWENTY-FOUR (24) IN BLOCK A, OF THE BLUFF SPRINGS SUBDIVISION AS SHOWN BY PLAT RECORDED IN PLAT CABINET A, SLIDE 77 (FORMERLY PLAT BOOK 1, PAGE 144), REGISTER'S OFFICE FOR MCMINN COUNTY, TENNESSEE. SAID TRACT OF PARCEL OF LAND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE LINE OF LOT NOS. 23 AND 24 INTERSECTS THE WEST SIDE OF HICKS STREET; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID LINE 150 FEET; THENCE IN A NORTHEASTERLY DIRECTION 5 FEET; THENCE IN A SOUTHEASTERLY DIRECTION 150 FEET TO THE WEST SIDE OF HICKS STREET; THENCE IN A SOUTHWESTERLY DIRECTION 5 FEET WITH SAID HICKS STREET TO THE POINT OF BEGINNING.

FOR PRIOR TITLE SOURCE: BEING ALL THAT PROPERTY CONVEYED TO ROBERT MARK NICHOLS, JR. AND STACY TINDLE, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP FROM CALEB J. SPANGLER AND BETHANY A. CABLE, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP BY WARRANTY DEED RECORDED IN BOOK 23P, PAGE 451 IN THE REGISTER'S OFFICE OF MCMINN COUNTY, TENNESSEE.

SUBJECT TO ALL MATTERS SHOWN ON THE PLAT OF RECORD IN PLAT BOOK 1, PAGES 144-145, REGISTER'S OFFICE FOR MCMINN COUNTY, TENNESSEE.

SUBJECT TO ANY AND ALL GOVERNMENTAL ZONING AND/OR SUBDIVISION ORDINANCES, REGULATIONS AND REQUIREMENTS IN EFFECT THEREON.

SUBJECT TO MCMINN COUNTY HEALTH DEPARTMENT REGULATIONS AND/OR REQUIREMENTS.

The street address of the above-described property is believed to be **421 HICKS ST, ATHENS, TN 37303**, but if such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

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:

Owner of Property: ROBERT MARK NICHOLS, JR., AND STACY TINDLE

The sale is subject to occupant(s) rights in possession of the premises.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee. 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.

If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the purchase price. The purchaser shall have no further record against the grantor, the grantee or the trustee.

NOTICE TO BIDDERS: Please be advised that the highest bidder ("purchaser") at this trustee's sale may be required to provide information, documentation and/or certification as mandated by applicable federal law, and entity and trust purchaser should be prepared to provide beneficial ownership information as required by federal reporting requirements effective for transfers of residential real property to covered transferees on or after March 1, 2026. If applicable, the required information must be provided to the trustee before a trustee's deed will be issued for covered transfers. Additional information regarding these regulations and the required transferee information and certifications can be found at <https://www.federalregister.gov/documents/2024/08/29/2024-19198/anti-money-laundering-regulations-for-residential-real-estate-transfers> and https://www.fincen.gov/rre-faqs#D_5.

Internet Posting Website: <https://tennesseepostings.com/>

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