

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, Richard Pena, a married man by Deed of Trust (the "Deed of Trust"), dated 11/27/2001 and of record in Deed Book 1383, Page(s) 520-527, and/or as Instrument Number 584065, in Register's Office of Sumner County, Tennessee, conveyed to Allen E. Schwartz, Esq., 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 Transland Financial Services, Inc., 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 6680, Page(s) 318-320 and/or as Instrument Number 1527182 in Register's Office of Sumner 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 **9/3/2026, at 2:00 PM at the Sumner County Courthouse, 155 East Main Street, Gallatin, TN 37066**, 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 Sumner County, Tennessee, described as follows:

LAND IN SUMNER COUNTY, STATE OF TENNESSEE, BEING LOT NUMBER 245 ON THE REVISED PLAN OF ROLLING ACRES, SECTION 6, AS OF RECORD IN PLAT BOOK 8, PAGE 16, REGISTER'S OFFICE, SAID COUNTY, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

ALICIA PENA JOINS IN THIS CONVEYANCE, WITH THE CONSENT OF THE GRANTOR SPOUSE, FOR THE PURPOSE OF WAIVING HOMESTEAD AND/OR OTHER MARITAL RIGHTS THAT MAY BE GRANTED TO A SPOUSE BY LAW IN THE PROPERTY AND/OR WHICH MIGHT BE ASSERTED AGAINST THE TRUSTEE, BENEFICIARY, MORTGAGEE, OR THEIR ASSIGNS IN ENFORCING ANY RIGHTS.

The street address of the above-described property is believed to be **109 LYNHURST DR, HENDERSONVILLE, TN 37075**, 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: Richard Pena, a married man

Bank of America, N.A., Deed of Trust Book 4591, Page(s) 215-216 and/or Instrument # 1205523

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](https://www.fincen.gov/rre-faqs#D_5).

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

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