

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, Adam W. Kirk and spouse, Jennifer Evans Kirk by Deed of Trust (the "Deed of Trust"), dated 2/18/2025 and of record in Deed Book GI 13850, Page(s) 407-435, and/or as Instrument Number 2025030300170, in Register's Office of Hamilton County, Tennessee, conveyed to Rubin Lublin TN, PLLC, 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 Homebridge 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 GI 14349, Page(s) 679-681 and/or as Instrument Number 2026062900074 in Register's Office of Hamilton 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 **7/30/2026, at 11:00 AM at the West Door of the Hamilton County Courthouse, 625 Georgia Avenue, Chattanooga, TN 37402**, 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 Hamilton County, Tennessee, described as follows:

A CERTAIN TRACT OR PARCEL OF LAND IN HIXSON, HAMILTON COUNTY, STATE OF TN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A CERTAIN TRACT OR PARCEL OF LAND DESCRIBED AS FOLLOWS, TO-WIT:

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE:

LOT ONE (1), THRASHER LANDING, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO ADAM W. KIRK AND SPOUSE, JENNIFER EVANS KIRK BY DEED FROM SERENA OPHELIA BELL AND ALEXANDER KEITH BALDRIDGE, DATED 05/16/24 AND RECORDED 05/16/24 IN BOOK 13594, PAGE 333, REGISTER'S OFFICE FOR HAMILTON COUNTY, TENNESSEE.

SUBJECT TO TERMS, PROVISIONS, COVENANTS, CONDITIONS, AND RESTRICTIONS, EASEMENTS, CHARGES, AND LIEN OF ASSESSMENTS OF RECORD IN BOOK 11677, PAGE 890, AS ASSIGNED IN BOOK 12690, PAGE 696, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO GRINDER PUMP PRESSURE SEWER SERVICE EASEMENT AS SET OUT IN INSTRUMENT OF RECORD IN BOOK 11595, PAGE 685, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO DRAINAGE EASEMENTS AS SHOWN, DESCRIBED, OR NOTED ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO FIFTEEN (15) FOOT FORCE MAIN EASEMENT AS SHOWN, DESCRIBED, OR NOTED ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO TEN (10) FOOT POWER AND COMMUNICATION EASEMENT AS SHOWN, DESCRIBED, OR NOTED ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO PRIVATE EASEMENT AREA FOR SIGNAGE, UTILITIES AS SHOWN, DESCRIBED, OR NOTED ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO CONCRETE MONUMENT AS SHOWN, DESCRIBED, OR NOTED ON PLAT OF RECORD IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO ANY SETBACK LINES, RIGHTS OF WAY, EASEMENTS, NOTES AND ANY AND ALL OTHER MATTERS SHOWN, DESCRIBED, OR NOTED ON PLAT RECORDED IN PLAT BOOK 114, PAGE 81, IN THE REGISTER'S OFFICE OF HAMILTON COUNTY, TENNESSEE.

SUBJECT TO THE RIGHTS OF OTHERS IN AND TO THE COMMON AREAS AND/OR ELEMENTS.

SUBJECT TO GOVERNMENTAL ZONING AND SUBDIVISION ORDINANCES OR REGULATIONS IN EFFECT THEREON.

The street address of the above-described property is believed to be **7705 Evan Way, Hixson, TN 37343-2545**, 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: Adam W. Kirk, Jennifer Evans Kirk

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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