

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, RICHARD A. COLE, SURVIVING TENANT BY THE ENTIRETY OF WILMA R. COLE, WHO DIED ON 08/12/2015 by Deed of Trust (the "Deed of Trust"), dated 1/21/2016 and of record in Deed Book TD139, Page(s) 205-223, and/or as Instrument Number 16000176, in Register's Office of Clay County, Tennessee, conveyed to Mark Rosser, 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 Freedom Mortgage Corporation, 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 MS19, Page(s) 469-471 and/or as Instrument Number 26001230 in Register's Office of Clay 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 **9/29/2026, at 11:00 AM at the At the Clay County Courthouse, 100 Courthouse Square, Celina, TN 38551**, 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 Clay County, Tennessee, described as follows:

BEGINNING ON A CONCRETE MARKER WHICH IS 100 FEET WEST OF A CONCRETE MARKER LOCATED IN THE WEST MARGIN OF BRIMSTONE CREEK ROAD; THENCE RUNNING EASTWARDLY 100 FEET TO THE CONCRETE MARKER IN THE WEST MARGIN OF THE BRIMSTONE ROAD; THENCE RUNNING SOUTHWARDLY WITH THE WEST MARGIN OF THE BRIMSTONE ROAD 550 FEET TO A CONCRETE MARKER, A CORNER TO ISENBERG; THENCE RUNNING WESTWARDLY WITH ISENBERG'S LINE 100 FEET TO A CONCRETE MARKER; THENCE CONTINUING WEST IN A STRAIGHT LINE 50 FEET TO A CONCRETE MARKER; THENCE MAKING A 90 DEGREE TURN AND THEN RUNNING IN A STRAIGHT LINE NORTHWARDLY 150 FEET TO A CONCRETE MARKER; THENCE RUNNING NORTHWARDLY 420 FEET IN A STRAIGHT LINE TO A CONCRETE MARKER, THE BEGINNING CORNER.

BEING THE PROPERTY CONVEYED TO RICHARD A. COLE AND WIFE WILMA R. COLE, BY DEED DATED JANUARY 16, 1993, OF RECORD IN BOOK 57 AT PAGE 193-194 IN THE REGISTER'S OFFICE OF CLAY COUNTY, TENNESSEE. RICHARD A. COLE AND WILMA R. COLE WERE MARRIED ON JANUARY 12, 1963 IN LAFAYETTE CITY, MACON COUNTY, TENNESSEE. AT THE TIME OF THEIR MARRIAGE NEITHER WAS A PARTY TO ANOTHER MARRIAGE, THEIR MARRIAGE CONTINUED UNINTERRUPTED UNTIL THE DEATH OF WILMA R. COLE IN CLAY COUNTY, TENNESSEE ON AUGUST 2, 2015. RICHARD A. COLE CONVEYS AS SURVIVING TENANT BY THE ENTIRETY.

BEING ALL OF THAT CERTAIN PROPERTY CONVEYED TO RICHARD A. COLE AND WIFE, WILMA R. COLE FROM DWAYNE MURRAY AND WIFE, DONNA MURRAY, BY DEED DATED 01/16/1993 AND RECORDED 01/19/1993 IN VOLUME 57, PAGE 193 OF OFFICIAL RECORDS.

The street address of the above-described property is believed to be **2796 BRIMSTONE CREEK RD, MOSS, TN 38575-5050**, 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 A. COLE

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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