

THIS INSTRUMENT PREPARED BY
GARNER & CONNER, PLLC
BY: J. MICHAEL GARNER, ATTORNEY
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P.O. BOX 5059
MARYVILLE, TN 37802-5059

NOTICE OF SUCCESSOR TRUSTEE'S SALE

WHEREAS, on the 27th day of March, 2002, Kristina Stalcup, single, conveyed to Douglas S. Yates, Trustee, the property herein described by Deed of Trust recorded in the Register's Office for Sevier County, Tennessee, in Book 1418, page 751 for the purposes set forth in said Deed of Trust as modified by Modification Agreements of record in Book 1690, page 91 and Book 1987, page 700; and

WHEREAS, J. Michael Garner has been appointed Successor Trustee by Appointment of record as Book 2312, page 482 in the Register's Office for Sevier County, Tennessee; and

WHEREAS, The Home Bank of Tennessee (now Branch Banking and Trust Company), the true and lawful owner and holder of the Note secured by said instrument, has advised me, as Successor Trustee, of default in the terms of said Note and Deed of Trust;

NOW, THEREFORE:

BY VIRTUE OF THE POWER vested in me as Successor Trustee, under the terms of said Deed of Trust hereinabove referred to, I will on the 6th day of May, 2008, at 10:00 o'clock A.M. at the front door of the Sevier County Courthouse in Sevierville, Sevier County, Tennessee, proceed to sell the property hereinafter described at public outcry to the highest and best bidder for cash, free from homestead and dower and other exemptions and in bar of all rights including the equity of redemption and statutory right of redemption, the following described real estate:

TRACT 1:

SITUATE in the Eleventh Civil District of Sevier County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron rod in the SW edge of the right of way (ROW) of Dudley Creek Road, a common corner with the property of Mary Marie McCarter (WD 120, page 242); thence leaving the edge of the ROW of Dudley Creek Road and with the line of McCarter, N. 00 deg. 19 min. 10 sec. West, 90.00 feet to an iron rod; thence N. 56 deg. 23 min. 00 sec. W. 73.18 feet to an iron pipe; thence N. 56 deg. 23 min. 01 sec. W. 259.31 feet to an iron pipe, a common corner to McCarter and ILM Rentals (WD 489, page 438); thence leaving the line of McCarter and with the line of ILM Rentals, N. 29 deg. 52 min. 44 sec. W. 397.17 feet to an iron pipe; thence N. 38 deg. 27 min. 21 sec. W. 183.93 feet to an iron pipe; thence N. 54 deg. 39 min. 16 sec. W. 196.13 feet to an iron rod; thence N. 71 deg. 22 min. 35 sec. W. 494.15 feet to an iron rod, a common corner between ILM Rentals and Maples (WD 541, page 150); thence leaving the line of ILM Rentals and with the line of Maples, N. 59 deg. 25 min. 55 sec. E. 425.61 feet to an iron pipe; thence N. 32 deg. 30 min. 39 sec. East 165.28 feet to an iron rod; thence N. 63 deg. 43 min. 05 sec. E. 105.60 feet to an iron pipe; thence N. 19 deg. 34 min. 09 sec. E. 411.83 feet to an iron pipe at the SW edge of a gravel road; thence with the gravel road, N. 85 deg. 36 min. 50 sec. E. 110.32 feet to an iron rod; thence leaving the gravel road, S. 62 deg. 00 min. 27 sec. E. 158.71 feet to an iron rod; thence S. 41 deg. 58 min. 48 sec. E. 140.46 feet to an iron rod; thence S. 15 deg. 02 min. 40 sec. E. 115.91 feet to an iron pipe; thence S. 70 deg. 06 min. 29 sec. E. 199.79 feet to an iron rod; thence N. 64 deg. 08 min. 28 sec. E. 138.30 feet to an iron rod; thence N. 16 deg. 47 min. 11 sec. E. 90.49 feet to an iron rod; thence N. 13 deg. 22 min. 25 sec. E. 100.55 feet to an iron rod; thence S. 87 deg. 50 min. 51 sec. E. 91.40 feet to an iron rod, a common corner between Maples and Hill, et al (WD 246, page 784); thence leaving the line of Maples and with the line of

Hill, et al, S. 00 deg. 22 min. 54 sec. W. 1481.23 feet to an iron rod; thence S. 03 deg. 57 min. 09 sec. W. 568.67 feet to an iron rod in the NE edge of the ROW of Dudley Creek Road, and a corner to Hill, et al; thence leaving the line of Hill, et al. and with ROW of Dudley Creek Road, S. 87 deg. 12 min. 30 sec. W. 41.08 feet to a point; thence S. 76 deg. 05 min. 50 sec. W. 46.90 feet to a point; thence S. 70 deg. 27 min. 14 sec. W. 43.25 feet to an iron rod; the point of beginning. Containing 42.35 acres, more or less.

BEING THE SAME PROPERTY in which Marvin T. Merritt and wife, Renee B. Merritt conveyed their ½ undivided interest to Kristina Stalcup, single, by Quitclaim Deed dated March 27, 2002, of record in Book 1418, page 747 at the Register's Office for Sevier County, Tennessee.

TRACT 2:

SITUATE in the Eleventh Civil District of Sevier County, Tennessee, and within the City of Gatlinburg, and being a small tract adjoining the property previously conveyed by the grantor to the grantee in Book 600, page 263, Register's Office, Sevier County, Tennessee, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING OF THE HEREIN CONVEYED TRACT, commence at an iron rod in the edge of the ROW of Dudley Creek Road, a common corner with property of the Grantor (WDB 120, page 242), and being the same beginning point in the prior conveyance from Grantor to Grantee in Book 600, page 263; thence leaving the edge of the ROW of Dudley Creek Road and with the line of McCarter, North 00 deg. 19 min. 10 sec. West, 65.22 feet to the Point of Beginning; thence crossing the McCarter property, North 64, deg. 54 min. 37 sec. West 64.56 feet to a point; thence North 52 deg. 05 min. 33 sec. West, 56.13 feet to a point; thence North 30 deg. 13 min. 13 sec. West, 42.30 feet to a point in the line of the property described in Book 600, page 263; thence with the line of said property, South 60 deg, 54 min. 26 sec. East, 92.33 feet to a point; thence South 56 deg. 23 min. 00 sec. East, 51.91 feet to a point; thence South 00 deg. 19 min. 10 sec. East, 24.78 feet to the point of Beginning, according to survey by Hassell T. Wolfe.

BEING THE SAME PROPERTY conveyed to Kristina Stalcup, single, by Quitclaim Deed from Dudley Creek Development, L.L.C., dated March 27, 2005, of record in Book 1418, page 749 at the Register's Office for Sevier County, Tennessee.

THIS CONVEYANCE is made subject to any unpaid property taxes.

THE RIGHT is reserved to adjourn the sale to another date without further publication, upon announcement at the time set forth above.

THIS the 13th day of March, 2008.

s/J. MICHAEL GARNER,
Successor Trustee

OTHER INTERESTED PARTIES:

(1) Second Deed of Trust, Security Agreement and Fixtures Filing of record in Book 1418, page 755 at the Register's Office for Sevier County, Tennessee, securing Marvin T. Merritt and Renee B. Merritt, as Co-Trustees of The Marvin and Renee Merritt Family Trust dated September 1, 1999, for \$143,574.00.

(2) Abstract and Notice of Lien Lis Pendens in favor of The Great American Honeymoon Resort, Inc. of record in Book 2893, page 256, recorded August 21, 2007 and Book 3031, page 63, recorded March 3, 2008 at the Register's Office for Sevier County, Tennessee.

(3) Judgment entered in case of The Riverbend Mall Association, Inc. v. Kristina Stalcup of record in Book 1439, page 433, recorded April 30, 2002 at the Register's Office for Sevier County, Tennessee.

TO BE PUBLISHED:

April 15, 2008

April 22, 2008

April 29, 2008