

THIS INSTRUMENT PREPARED BY
GARNER & CONNER, PLLC
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NOTICE OF SUCCESSOR TRUSTEE'S SALE

WHEREAS, on the 26th day of May, 2004, Above the Smoke, L.L.C. and Kristina Stalcup 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 1987, page 702 for the purposes set forth in said Deed of Trust; and

WHEREAS, J. Michael Garner has been appointed Successor Trustee by Appointment of record as Book 2312, page 483 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 10:30 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:

SITUATE in the Eleventh Civil District of Sevier County, Tennessee, and within the corporate limits of the City of Gatlinburg, Tennessee, and being a 9.4423 acre tract more particularly described as follows:

BEGINNING at an iron pin at a 24" marked chestnut oak in the line of Ullrich (WD Book 243, page 440) and being the SW corner of Woodruff (WD Book 257, page 793); thence S. 19 deg. 57 min. 07 sec. W. 218.66 feet to an iron pin; thence N. 30 deg. 39 min. 53 sec. W. 113.52 feet to an iron pin; thence N. 05 deg. 24 min. 07 sec. E. 154.98 feet to an iron pin; thence N. 10 deg. 10 min. 07 sec. E. 118.46 feet to an iron pipe in the common line of the Maples property; thence continuing along the common line of the latter parcel the following: N. 83 deg. 17 min. 38 sec. E. 74.75 feet to an iron pipe, N. 63 deg. 08 min. 18 sec. E. 204.36 feet to an iron pin; N. 24 deg. 57 min. 34 sec. E. 138.89 feet to an iron pipe; N. 10 deg. 53 min. 47 sec. E. 98.18 feet to an iron pin; N. 02 deg. 26 min. 29 sec. W. 211.12 feet to an iron pipe; N. 06 deg. 49 min. 59 sec. E. 74.20 feet to an iron pipe; N. 09 deg. 56 min. 24 sec. E. 44.43 feet to a 24" marked red oak in the line of Hudspeth (WD Book 259, page 321); thence continuing along the common line of the latter parcel the following: S. 07 deg. 04 min. 08 sec. E. 117.75 feet to an iron pipe; S. 04 deg. 12 min. 33 sec. E. (passing through an iron pin at 2.06 feet), 200.70 feet to an iron pin in the eastern edge of the right of way of a 50 foot right of way serving this and perhaps adjoining property; along said edge of the right of way S. 44 deg. 59 min. 47 sec. E. 37.18 feet to an iron pin; in a SE direction with the curve to the right, R = 234.18, 90.89 feet to an iron pin; along said edge of the right of way S. 22 deg. 45 min. 32 sec. E. 13.85 feet to an iron pin; in a SE direction with the curve to the left, R= 162.62, 57.76 feet to an iron pin; and along said edge of the right of way S. 43 deg. 06 min. 36 sec. E. 41.96 feet to an iron pin; thence crossing said 50 foot right of way, S. 62 deg. 01 min. 14 sec. W. 259.99 feet to an iron pin, a corner with Woodruff; thence continuing along the common line of the latter parcel the following: N. 28 deg. 37 min. 34 sec. W. 122.59 feet

to an iron pin in the southern edge of said right of way; along said edge of the right of way in a SW direction with the curve to the right, R = 109.21, 106.33 feet to an iron pin, in a westerly direction with the curve to the right, R = 127.11, 94.91 feet to an iron pin; N. 50 deg. 19 min. 34 sec. W. 72.00 feet to an iron pin; in a westerly direction with the curve to the left, R = 45.10, 55.89 feet to an iron pin; and leaving said edge of the right of way S. 05 deg. 01 min. 26 sec. W. 201.38 feet to the point of beginning.

CONVEYED HERewith AND SUBJECT HERETO is the above mentioned 50 foot right of way for ingress and egress to Long Branch Road.

SUBJECT to easements, restrictions and setback lines of record in Book 1952, page 340 at the Register's Office for Sevier County, Tennessee.

BEING THE SAME PROPERTY conveyed to Above The Smoke, LLC, by Quitclaim Deed from Kristina Stalcup, dated April 14, 2004 and of record in Book 1952, page 338 at said Register's Office.

LESS AND EXCEPT the following lands conveyed by Deed Book 1976, page 395 in said Register's Office:

SITUATE, LYING AND BEING in the Eleventh Civil District of Sevier County, Tennessee, within the corporate limits of the City of Gatlinburg, Tennessee, and being all of Unit 3, Above the Smoke, L.L.C., an overnight rental resort, as more fully shown in Book 1952, page 340 at said Register's Office.

THERE IS EXCEPTED from subject property that portion conveyed to Jonathan Bobby, married, by deed dated September 13, 2004, of record in Book 2067, page 720 and Book 2067, page 746 all 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) 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.

(2) 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