BILL GARRETT, Davidson County
Trans:T20130059410 DEEDTRS
Recvd: 07/12/13 08:56 16 pgs
Fees:83.00 Taxes:199.80
20130712-0072127

**Address New Owner(s) as follows:**
**Fifth Third Bank**
**Attn: Faye Jamison**
**8100 Burlington Pike**
**3rd Floor, MD #625011**
**Florence, KY 41042**

**Send Tax Bills to:**
**Fifth Third Bank**
**Attn: CRE Tax Department**
**38 Fountain Square Plaza**
**MD #1090Y2**
**Cincinnati, OH 45263**

**Map Parcel Number:**
**119-090-191.00**

**Prepared by/Return to:**
**Robert J. Solomon**
**Solomon Baggett, LLC**
**40 Technology Parkway South, Suite 202**
**Norcross, Georgia 30092**

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS, a Deed of Trust has been heretofore executed by Phillip E. Holmes, Jr., to John T. Flaugher, Trustee, dated May 12, 2006, and received for record on May 24, 2006, and filed for record as Instrument No. 20060524-0060990, in the Register's Office of Davidson County, Tennessee; conveying the hereinafter described real estate in trust to secure payment of a promissory note and said promissory note being described therein and payable to the order of Fifth Third Bank, an Ohio Banking Corporation, Successor by Merger with Fifth Third Bank, N.A., a National Association; and

WHEREAS, by instrument executed by Fifth Third Bank, an Ohio Banking Corporation, Successor by Merger with Fifth Third Bank, N.A., a National Association dated April 1, 2013, and received for record on April 15, 2013, and filed for record as Instrument No. 20130415-0036856, said Register's Office, Robert J. Solomon, a resident of Decatur, Georgia, licensed to practice law in the State of Tennessee, was appointed as Successor Trustee, with all rights, powers and privileges of the original Trustee named in said Deed of Trust; and

WHEREAS, default was made in payment of installments maturing on said promissory note and

in performance of covenants contained in the Deed of Trust, by reason of which the entire balance owing thereon was declared due and payable, default being made in payment thereof and such default continued until time of sale; and

WHEREAS, by virtue of the power and authority vested in him as such Successor Trustee, under the Deed of Trust of record as Instrument No. 20060524-0060991, aforesaid, at the request of the owner of said note and for the purpose of effecting payment and satisfaction thereof, principal and interest, attorney's fees and costs of sale, Robert J. Solomon, a resident of Decatur, Georgia, licensed to practice law in the State of Tennessee, Successor Trustee, pursuant to the advertisement published in The Tennessean, a newspaper published and of general circulation in Davidson County, Tennessee, in its issues of May 17, 2013, May 24, 2013 and May 31, 2013, offered for sale at public outcry to the highest and best bidder for cash at the usual and customary location of the front of the Davidson County Register of Deeds office in the City of Nashville, Davidson County, Tennessee, in bar of all equities of redemption, statutory right of redemption, homestead, dower, and all other rights or exemptions of every kind, sold on June 11, 2013, at 1:00 o'clock p.m. at public outcry, the hereinafter described real estate; at which sale Fifth Third Bank, an Ohio Banking Corporation, Successor by Merger with Fifth Third Bank, N.A., a National Association being the highest and best bidder at and for the sum of $54,000.00 Dollars, became the purchaser thereof.

NOW, THEREFORE, ROBERT J. SOLOMON, SUCCESSOR TRUSTEE, a resident of Decatur, Georgia, licensed to practice law in the State of Tennessee, exercising the power and authority vested in him and in bar of all equities of redemption, statutory right of redemption, homestead, dower and all other rights or exemptions of every kind, does hereby sell, transfer and convey unto Fifth Third Bank, an Ohio Banking Corporation, Successor by Merger with Fifth Third Bank, N.A., a National Association the following described real estate located in the County of Davidson, Tennessee:

ADDRESS: 2814 Foster Avenue
Nashville, TN 37210

THE FOLLOWING DESCRIBED TRACT OR PARCEL OF LAND, TO WIT: LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 22 AND THE

SOUTHERLY 37 FEET OF LOT 21 ON THE MAP OF PARKWAY SUBDIVISION AS OF RECORD IN BOOK 974, PAGE 62, REGISTER'S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS: SAID LOT AND PART OF SAID LOT ADJOIN AND FRONT TOGETHER 87 FEET ON THE EASTERLY SIDE OF FOSTER AVENUE, FORMERLY AKIN AVENUE, AS NOW WIDENED AND LOCATED AND RUN BACK BETWEEN LINES 162 FEET MORE OR LESS ON THE SOUTH LINE OF LOT NO. 22 AND 167.1 FEET MORE OR LESS ON THE NORTH LINE OF SAID PART OF LOT NO. 21 TO A DEAD LINE IN THE REAR MEASURING 87 FEET THEREON.

SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHTS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

BEING THE SAME PROPERTY CONVEYED BY DEED RECORDED IN DOCUMENT NO. 200601310012211, OF THE DAVIDSON COUNTY, TENNESSEE RECORDS.

If applicable, the notice requirements of T.C.A. 35-5-117 have been meet.

There is a Federal Tax Lien dated October 25, 2007 and filed November 1, 2007 as Instrument No. 20011101-012737 of the Davidson County, Tennessee Records for which notice as required by 26 U.S.C. Sec. 7425 (b) has been timely given to the United States and the sale of the land thus advertised was subject to the right of the United States to redeem the land as provided for in 26 U.S.C. Sec. 7425 (d) (1) attached here as Exhibit "A". Attached hereto and incorporated herein by reference as Exhibit "B" is a copy of the Notice to the Internal Revenue Service that has been stamped received by the Internal Revenue Service.

There is a Federal Tax Lien dated March 17, 2008 and filed March 24, 2008 as Instrument No. 20080324-0029109 of the Davidson County, Tennessee Records for which notice as required by 26 U.S.C. Sec. 7425 (b) has been timely given to the United States and the sale of the land thus advertised was subject to the right of the United States to redeem the land as provided for in 26 U.S.C. Sec. 7425 (d) (1) attached here as Exhibit "A". Attached hereto and incorporated herein by reference as Exhibit "B" is a copy of the Notice to the Internal Revenue Service that has been stamped received by the Internal Revenue Service.

There is a Federal Tax Lien dated March 26, 2008 and filed April 3, 2008 as Instrument No. 20080403-0033560 of the Davidson County, Tennessee Records for which notice as required by 26 U.S.C. Sec. 7425 (b) has been timely given to the United States and the sale of the land thus advertised was subject to the right of the United States to redeem the land as provided for in 26 U.S.C. Sec. 7425 (d) (1) attached here as Exhibit "A". Attached hereto and incorporated herein by reference as Exhibit "B" is a copy of the Notice to the Internal Revenue Service that has been stamped received by the Internal Revenue Service.

TO HAVE AND TO HOLD the same described real estate unto Fifth Third Bank, an Ohio Banking Corporation, Successor by Merger with Fifth Third Bank, N.A., a National Association its successors and assigns, forever in fee simple.

Said Deed of Trust, Security Agreement and Assignment of Leases and Rent recites title as unencumbered, but sale was advertised and made as Trustee only, without covenants of seisin or warranties of title, SUBJECT to any unpaid taxes and assessments owing on said property and this conveyance is made accordingly.

WITNESS my hand on this the 17th day of June, 2013.

ROBERT J. SOLOMON
Successor Trustee

STATE OF GEORGIA
COUNTY OF GWINNETT

On this the 17th day of June, 2013, before me personally appeared ROBERT J. SOLOMON to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument in behalf of himself as successor trustee, acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____

JESSICA WRAY
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXPIRES
JANUARY 16, 2017

STATE OF GEORGIA
COUNTY OF GWINNETT

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $54,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me on this the 17th day of June, 2013

Notary Public
My Commission Expires:

JESSICA WRAY
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXPIRES
JANUARY 16, 2017

solomon | baggett
attorneys at law

**EXHIBIT "A"**

Robert J. Solomon
Direct Dial: 678.243.2515
rsolomon@sb-law.com

April 24, 2013

***Via Certified Mail***
***Return Receipt Requested 7008 1830 0001 0254 7138***

Internal Revenue Service
**Attn: Collection Advisory Group Manager**
801 Broadway
MDP 53
Nashville, TN 37203

Re: Phillip E. Holmes, Jr.
Property: 2814 Foster Avenue
Nashville, TN 37210
FMC Account No. 08807TN12
Identifying Number: 20-3161916
Our File No. 1528.1773

Dear Sir/Madam:

This letter shall serve as notice pursuant to Section 7425(c) of the Internal Revenue Code of a non-judicial sale of real property located at **2814 Foster Avenue, Nashville, Davidson County, Tennessee 37210**. Attached hereto is a copy of:

(1) the Federal Tax Lien, dated October 25, 2007, and filed November 1, 2007 at Document #20011101-012737, of the Davidson County, Tennessee Records;

(2) the Federal Tax Lien, dated March 17, 2008, and filed March 24, 2008 at Document #20080324-0029109 of the Davidson County, Tennessee Records;

(3) the Federal Tax Lien, dated March 26, 2008 and filed April 3, 2008 at Document #20080403-0033560 of the Davidson County, Tennessee Records;

(4) the Notice of Successor Trustee's Sale.

The non-judicial sale for cash to the highest bidder will take place at 1:00 p.m. on June 11, 2013, in the front door of the Register's Office for Davidson County, Tennessee. The purpose of this sale will be to effect collection of a mortgage having an approximate principal balance of $96,994.89 plus accrued interest in the amount of $63,671.26, late charges of $968.94 and attorney's fees and foreclosure costs estimated at $1,500.00.

The property pledged as security for this mortgage is as follows:

THE FOLLOWING DESCRIBED TRACT OR PARCEL OF LAND, TO WIT: LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 22 AND THE SOUTHERLY 37 FEET OF LOT 21 ON THE MAP OF PARKWAY SUBDIVISION AS OF RECORD IN BOOK 974, PAGE 62, REGISTER'S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS:

SAID LOT AND PART OF SAID LOT ADJOIN AND FRONT TOGETHER 87 FEET ON THE EASTERLY SIDE OF FOSTER AVENUE, FORMERLY AKIN AVENUE, AS NOW WIDENED AND LOCATED AND RUN BACK BETWEEN LINES 162 FEET MORE OR LESS ON THE SOUTH LINE OF LOT NO. 22 AND 167.1 FEET MORE OR LESS ON THE NORTH LINE OF SAID PART OF LOT NO. 21 TO A DEAD LINE IN THE REAR MEASURING 87 FEET THEREON.

SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

BEING THE SAME PROPERTY CONVEYED IN DEED RECORDED IN DOCUMENT NUMBER 200601310012211 OF THE DAVIDSON COUNTY, TENNESSEE RECORDS.

COMMONLY KNOWN AS: 2814 FOSTER AVE, NASHVILLE TN

TAX ID NO.: 119-090-191.00

A duplicate of this notice is enclosed herewith. Please indicate on the duplicate the date and time this notice was received, and return it to the undersigned in the postage-paid envelope enclosed herein.

If additional information is needed, please contact me.

Very truly yours,

SOLOMON J. BAGGETT, LLC

Robert J. Solomon

Enclosure

_____

Date/Time Received

_____

Collection Advisory Group Manager

Form 668 (Y)(c)
(Rev. February 2004)

4604

Department of the Treasury - Internal Revenue Service

# Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 913-6050

Serial Number
400405907

For Optional Use by Recording Office

**As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.**

Davidson County LIENFTL
Recvd: 11/01/07 08:39 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20071101-0128737

Name of Taxpayer PHILLIP E HOLMES JR

Residence PO BOX 100310
NASHVILLE, TN 37224-0310

**IMPORTANT RELEASE INFORMATION:** For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

| Kind of Tax (a) | Tax Period Ending (b) | Identifying Number (c) | Date of Assessment (d) | Last Day for Refiling (e) | Unpaid Balance of Assessment (f) |
|---|---|---|---|---|---|
| 941 | 06/30/2007 | 20-3161916 | 10/08/2007 | 11/07/2017 | 17266.94 |

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 17266.94

This notice was prepared and signed at DALLAS, TX, on this,

the 25th day of October, 2007.

Signature R. A. Mitchell
for DARLENE MILLER

Title
REVENUE OFFICER
(615) 250-5394

25-06-2223

**(NOTE:** Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

4604

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

# Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 913-6050

Serial Number
430416108

For Optional Use by Recording Office

Davidson County LIENFTL
Recvd: 03/24/08 14:20 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20080324-0029109

**As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.**

Name of Taxpayer PHILLIP E HOLMES JR

Residence 2814 FOSTER AVE
NASH, TN 37210-5310

**IMPORTANT RELEASE INFORMATION:** For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

| Kind of Tax (a) | Tax Period Ending (b) | Identifying Number (c) | Date of Assessment (d) | Last Day for Refiling (e) | Unpaid Balance of Assessment (f) |
|---|---|---|---|---|---|
| 941 | 06/30/2006 | 20-3161916 | 02/11/2008 | 03/13/2018 | 35939.37 |
| 941 | 12/31/2007 | 20-3161916 | 03/03/2008 | 04/02/2018 | 19090.61 |
| | | | | Total | $ 55029.98 |

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

This notice was prepared and signed at NASHVILLE, TN, on this,

the 17th day of March, 2008.

Signature R. A. Mitchell
for DARLENE MILLER

Title
REVENUE OFFICER
(615) 250-5394

25-06-2223

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

4604

Form 668 (Y)(c)
(Rev. February 2004)

Department of the Treasury - Internal Revenue Service

# Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 913-6050

Serial Number
432883808

For Optional Use by Recording Office

**As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.**

Davidson County LIENFTL
Rcdvd: 04/03/08 09:24 1 pgs
Fees:12.00 Taxes:0.00
[redacted]
20080403-0033560

Name of Taxpayer PHILLIP E HOLMES JR

Residence 2814 FOSTER AVE
NASHVILLE, TN 37210-5310

**IMPORTANT RELEASE INFORMATION:** For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

| Kind of Tax (a) | Tax Period Ending (b) | Identifying Number (c) | Date of Assessment (d) | Last Day for Refiling (e) | Unpaid Balance of Assessment (f) |
|---|---|---|---|---|---|
| 941 | 09/30/2007 | 20-3161916 | 03/10/2008 | 04/09/2018 | 22077.74 |

Place of Filing
Register of Deeds
Davidson County
Nashville, TN 37201

Total $ 22077.74

This notice was prepared and signed at NASHVILLE, TN, on this,

the 26th day of March, 2008.

Signature R. A. Mitchell
for DARLENE MILLER

Title
REVENUE OFFICER
(615) 250-5394

25-06-2223

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Default having been made in the payment of the debts and obligations described in and secured by a certain Deed of Trust executed by PHILLIP E. HOLMES, JR. to John T. Flaugher, Trustee, recorded May 24, 2006 in Davidson County Register's Office as Instrument #20060524-0060990, and the beneficial interest of said Deed of Trust is owned by FIFTH THIRD BANK, AN OHIO BANKING CORPORATION, SUCCESSOR BY MERGER WITH FIFTH THIRD BANK, N.A., A NATIONAL ASSOCIATION , and the undersigned having been appointed Successor Trustee by instrument recorded in said Register's Office, this is notice that the undersigned will on **June 11, 2013 at 1:00PM** local time, at the Davidson County Courthouse, South Main door, One Public Square, Nashville, Tennessee will proceed to sell at public outcry to the highest and best bidder for cash the following property located in Davidson County, Tennessee, will be sold to the highest call bidder subject to all unpaid taxes, prior liens and encumbrances of record.

Described property is Lot No. 22 and the southerly 37 feet of Lot 21 on the Map of Parkway Subdivision as of record in Book 974, Page 62 in the Register's Office of Davidson County, Tennessee. Being the same property conveyed to Volunteer Surveying by special warranty deed from Walter G. Knestrick at Instr#20020219-0020720 and Deed of Correction at Instr.#20020306-0028399 in the Davidson County Register's Office.

Property Address: 2814 Foster Ave., Nashville, Tennessee 37210

Parcel No. 11909019100

Current Owner(s) of Property: Phillip E. Holmes, Jr.

The street address of the above described property is believed to be 2814 Foster Ave., Nashville, Tennessee 37210 but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description referenced herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION.

If applicable, the notice requirements of T.C.A. 35-5-117 have been met.

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.

Possible interested parties: Internal Revenue Service.

This sale is also subject to the right of redemption by the UNITED STATES, INTERNAL REVENUE SERVICE, DEPARTMENT OF U.S. TREASURY, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax lien(s) of record in: Instrument Nos. 20071101-0128737, 20080324-0029109 and 20080403-0033560 Notice of the sale has been timely given to the Internal Revenue Service in accordance with 26 U.S.C. 7425(b).

The right is reserved to adjourn the sale to another day, time and place certain without further publication, upon announcement of the time and place for the sale set forth above. If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder, at their highest bid, will be deemed the successful bidder. This property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded by the Substitute Trustee at any time.

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Robert J. Solomon
Substitute Trustee
Solomon | Baggett, LLC
40 Technology Parkway South, Suite 202
Norcross, Georgia 30092

(678) 243-2512
Our File No. FMC.00021
5/17/13, 5/24/13, 5/31/13

**SENDER: *COMPLETE THIS SECTION***

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Internal Revenue Service
Attn: Collection Advisory
Group Manager
801 Broadway
MDP 53
Nashville, TN 37203

***COMPLETE THIS SECTION ON DELIVERY***

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
*(Transfer from service label)* 7008 1830 0001 0254 7138

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7008 1830 0001 0254 7138

**CERTIFIED MAIL™ RECEIPT**
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at www.usps.com®

**OFFICIAL USE**

| | |
|---|---|
| Postage | $ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | $ |

Postmark Here

Sent To: Internal Revenue Service
Street, Apt. No.; or PO Box No.: Attn: Collection Advisory Group Mgr.
City, State, ZIP+4: 801 Broadway, MDP53, Nashville TN 37203

PS Form 3800, August 2006 See Reverse for Instructions

solomon | baggett
· attorneys at law

# EXHIBIT "B"

Robert J. Solomon
Direct Dial: 678.243.2515
rsolomon@sb-law.com

April 24, 2013

***Via Certified Mail***
***Return Receipt Requested 7008 1830 0001 0254 7138***

Internal Revenue Service
**Attn: Collection Advisory Group Manager**
801 Broadway
MDP 53
Nashville, TN 37203

RECEIVED
2013 APR 29 PM 3:11
INTERNAL REVENUE SERVICE
TECHNICAL SERVICES
NASHVILLE, TN

Re: Phillip E. Holmes, Jr.
Property: 2814 Foster Avenue
Nashville, TN 37210
FMC Account No. 08807TN12
Identifying Number: 20-3161916
Our File No. 1528.1773

Dear Sir/Madam:

This letter shall serve as notice pursuant to Section 7425(c) of the Internal Revenue Code of a non-judicial sale of real property located at **2814 Foster Avenue, Nashville, Davidson County, Tennessee 37210**. Attached hereto is a copy of:

(1) the Federal Tax Lien, dated October 25, 2007, and filed November 1, 2007 at Document #20011101-012737, of the Davidson County, Tennessee Records;

(2) the Federal Tax Lien, dated March 17, 2008, and filed March 24, 2008 at Document #20080324-0029109 of the Davidson County, Tennessee Records;

(3) the Federal Tax Lien, dated March 26, 2008 and filed April 3, 2008 at Document #20080403-0033560 of the Davidson County, Tennessee Records;

(4) the Notice of Successor Trustee's Sale.

The non-judicial sale for cash to the highest bidder will take place at 1:00 p.m. on June 11, 2013, in the front door of the Register's Office for Davidson County, Tennessee. The purpose of this sale will be to effect collection of a mortgage having an approximate principal balance of $96,994.89 plus accrued interest in the amount of $63,671.26, late charges of $968.94 and attorney's fees and foreclosure costs estimated at $1,500.00.

The property pledged as security for this mortgage is as follows:

THE FOLLOWING DESCRIBED TRACT OR PARCEL OF LAND, TO WIT: LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 22 AND THE SOUTHERLY 37 FEET OF LOT 21 ON THE MAP OF PARKWAY SUBDIVISION AS OF RECORD IN BOOK 974, PAGE 62, REGISTER'S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS:

SAID LOT AND PART OF SAID LOT ADJOIN AND FRONT TOGETHER 87 FEET ON THE EASTERLY SIDE OF FOSTER AVENUE, FORMERLY AKIN AVENUE, AS NOW WIDENED AND LOCATED AND RUN BACK BETWEEN LINES 162 FEET MORE OR LESS ON THE SOUTH LINE OF LOT NO. 22 AND 167.1 FEET MORE OR LESS ON THE NORTH LINE OF SAID PART OF LOT NO. 21 TO A DEAD LINE IN THE REAR MEASURING 87 FEET THEREON.

SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

BEING THE SAME PROPERTY CONVEYED IN DEED RECORDED IN DOCUMENT NUMBER 200601310012211 OF THE DAVIDSON COUNTY, TENNESSEE RECORDS.

COMMONLY KNOWN AS: 2814 FOSTER AVE, NASHVILLE TN

TAX ID NO.: 119-090-191.00

A duplicate of this notice is enclosed herewith. Please indicate on the duplicate the date and time this notice was received, and return it to the undersigned in the postage-paid envelope enclosed herein.

If additional information is needed, please contact me.

Very truly yours,

SOLOMON | BAGGETT, LLC

Robert J. Solomon

Enclosure

_____

Date/Time Received

_____

Collection Advisory Group Manager

**SENDER:** *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Internal Revenue Service
Attn: Collection Advisory
Group Manager
801 Broadway
MDP 53
Nashville, TN 37203

*COMPLETE THIS SECTION ON DELIVERY*

A. Signature

X Holly Reddi

☐ Agent
☐ Addressee

B. Received by (Printed Name) Holly Reddi NG

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
*(Transfer from service label)* 7008 1830 0001 0254 7138

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540