THIS INSTRUMENT PREPARED BY: Larry D. Craig, Attorney, 305 Fourteenth Avenue, North, Nashville, Tennessee 37203

BILL GARRETT, Davidson County
Trans:T20130087437 DEEDTRS
Recvd: 10/09/13 12:08 9 pgs
Fees:48.00 Taxes:384.65
20131009-0106068

SUBSTITUTE TRUSTEE'S DEED

Address New Owner:	Send Tax Bills to:	Map-Parcel Numbers
Pinnacle Bank, a State Chartered Tennessee Bank Attn: OREO Dept. 150 Third Avenue, South, Suite 900 Nashville, Tennessee 37201	Same	Map 43-6 Parcel 139.00

WHEREAS, Antonio Lucio and Rosario Lucio, husband and wife, by deed of trust (the "Deed of Trust") dated November 26, 2007, transferred and conveyed to Jason K. West, Trustee, the property described in Exhibit A hereto (the "Property"), the Deed of Trust being of record in Instrument No. 20071203-0139782, Register's Office for Davidson County, Tennessee; and

WHEREAS, a Substitute Trustee has been appointed by the lawful owner and holder of the indebtedness secured by the Deed of Trust, the Appointment of Substitute Trustee being of record in Instrument No. 20130826-0089950, said Register's Office; and

WHEREAS, the indebtedness secured by the Deed of Trust has become overdue and unpaid, and the lawful holder and owner of said debt has called upon the Substitute Trustee to foreclose the Deed of Trust; and

WHEREAS, the Substitute Trustee, after due advertisement as required by law and as required by the terms of the Deed of Trust, as published in the Davidson A.M. newspaper on September 6, 2013, September 13, 2013 and September 20, 2013, offered the Property for sale to the highest bidder for cash, at public outcry, at twelve (12:00 p.m.), o'clock, noon, on October 9, 2013, at the front door of the Bridgestone Arena, 501 Broadway, at the entrance to the Register of Deeds, in Nashville, Davidson County, Tennessee, when and where Pinnacle Bank "Grantee"), became the last and highest bidder for cash at the price of One Hundred Three Thousand Nine Hundred Sixty ($103,960.00) Dollars.

NOW, THEREFORE, in his capacity as Substitute Trustee, and not otherwise, and in consideration of the premises and payment of the sum stated above, the receipt and sufficiency of which are acknowledged, Larry D. Craig, Substitute Trustee, hereby conveys the Property to the Grantee, Pinnacle Bank, and the Grantee's successors and assigns.

TO HAVE AND TO HOLD the Property in as full and complete manner as the undersigned, in his capacity as Substitute Trustee, and not otherwise, has the power to convey.

Larry D. Craig, as Substitute Trustee, and not otherwise, warrants the title to the Property to the Grantee and Grantee's successors and assigns, against the lawful claims of all persons claiming by, through or under him. The quantity or quality thereof, and expressly subject to the following:

1. Any and all unpaid taxes and assessments, plus interest and penalty, if any.

2. Any and all other prior restrictions, encumbrances, or liens of any nature.

3. Subject to the right of redemption of the Internal Revenue Service, Department of U.S. Treasury, pursuant to 26 U.S.C. 7425(d)(1) by reason of Notice of Federal Tax Lien, Serial Numbers 746726511 and 746770911, of record in Instrument Nos. 20110131-0008137 and 201101310008136, Register's Office for Davidson County, Tennessee.

Words used herein indicating number or gender shall be read as context may require.

Dated this 9th day of October, 2013.

LARRY D. CRAIG, as Substitute Trustee, and not otherwise.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for said County and State, the within named Larry D. Craig, Substitute Trustee, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purpose therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 9th day of October, 2013.

NOTARY PUBLIC

MINDY CLAUD STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 7/6/15

The actual consideration for this transfer or value of the property transferred, whichever is greater, is $103,960.00.

AFFIANT

Subscribed and sworn to before me this 9th day of October, 2013.

NOTARY PUBLIC

My Commission Expires: 7/6/15

MINDY CLAUD STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

EXHIBIT "A"

Being Lot No. 38 on the Plan of Farview, Section II, as of record in Plat Book 3600, Page 6, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being the same property conveyed to Antonio Lucio and Rosario Lucio, husband and wife, by deed of record in Instrument No. 20051004-0119638, Register's Office for Davidson County, Tennessee.

This is improved property having an address of 616 Farview Drive, Madison, Tennessee 37115.

Map 43-6, Parcel 139.00

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:

IRS
Broadway
Nash TN 37203

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Holly Rawlins

C. Date of Delivery 8.29.13

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) 7012 2210 0001 6734 0097

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

LARRY D. CRAIG

Attorney at Law

305 FOURTEENTH AVENUE NORTH • NASHVILLE, TENNESSEE 37203-3416
PHONE:(615) 320-5577 • FAX:(615) 320-5597

August 28, 2013

COPY

District Director, Internal Revenue Service
ATTN: Chief, Special Procedures Section
801 Broadway, MDP 53
Nashville, Tennessee 37203
VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED AND REGULAR U.S. MAIL

RE: Taxpayer: Antonio Lucio and Rosario P. Lucio
Serial No. 746726511 and 746770911
Notice of Sale or Foreclosure of Lien under §7425
Taxpayer's Last Known Mailing Address:
616 Farview Drive, Madison, Tennessee 37115
Property Subject to Foreclosure: 616 Farview Drive, Madison, TN 37115

2013 AUG 29 PM 1:21

Ladies and Gentlemen:

Notice is hereby given in accordance with 217425(b) of the I. R. C. of 1954 that Community Bank & Trust intends to foreclose their lien as first mortgage holder on real estate of the above-referenced taxpayer, which foreclosure may, by operation of local law, extinguish or discharge federal tax liens on such real estate.

Pursuant to Reg. 301.7325 – 3(d)(1) the following information is submitted:

Person submitting Notice: :Larry D. Craig, Attorney for the mortgage holder, Pinnacle Bank, of the indebtedness secured by the lien to be foreclosed. The address is set out on this letterhead.

Liens Affected: Federal Tax Liens recorded are believed to attach to the property of the taxpayer/borrower. The tax liens have been filed subsequent to the deed of trust being foreclosed.

Description of Realty to be Sold: The legal description of the property to be sold is as follows:

> Being Lot No. 38 on the Plan of Farview, Section II, as of record in Plat Book 3600, Page 6, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.
>
> Being the same property conveyed to Antonio Lucio and Rosario

Lucio, husband and wife, by deed of record in Instrument No. 20051004-0119638, Register's Office for Davidson County, Tennessee.

This is improved real property having an address of 616 Farview Drive, Madison, Tennessee 37115.

Chain of Title: Although no representation of title is made, the following instruments appear in the Register's Office for Davidson County, Tennessee:

1. A warranty deed to Antonio Lucio and wife, Rosario Lucio, of record in Instrument No. 20051004-0119638, Register's Office for Davidson County, Tennessee (vesting deed).

2. A deed of trust executed by Antonio Lucio and wife, Rosario Lucio, to Jason K. West, Trustee, of record in Instrument No. 20071203-0139782, Register's Office for Davidson County, Tennessee, to secure to PrimeTrust Bank one note dated November 26, 2007, in the original principal amount of $120,700.00, payable as set forth therein, 1st mortgage, subject of foreclosure.

3. Subject to IRS tax lien of record in Instrument No. 20110131-008136, Register's Office for Davidson County, Tennessee, $4,896.90.

4. Subject to IRS tax lien of record in Instrument No. 20110131-008137, Register's Office for Davidson County, Tennessee, $48,732.96.

Manner of Proposed Sale: The proposed sale will take place at **12:00 p.m. on October 9, 2013** at the front door of the Register of Deeds Office in Nashville, Tennessee, to the highest and best bidder for cash.

Disbursements Senior to Tax Lien: The approximate amounts of the principal obligation and interest secured by the lien sought to be enforced and a description of other expenses which will be charged against the sale proceeds are as follows:

Pinnacle Bank*	$104,910.12
Estimated Legal Expenses (incl. Publication + Filing fees)	$ 2,000.00
TOTAL	$106,910.12

*as of 8/27/13; per diem interest is $5.6362.

In accordance with Reg. §301.7425-3(d)(3), please acknowledge receipt of this notice on the enclosed copy of this notice and return it to the undersigned in the enclosed self-addressed stamped envelope.

Sincerely,

Larry D Craig/jm

Larry D. Craig

LDC/jm

cc: Jim Gregory, Pinnacle Bank
Allen Dixon, Pinnacle Bank

Enclosures

(1) Deed of Trust being foreclosed upon
(2) Notice of Federal Tax Liens as to Antonio & Rosario P. Lucio aka Antonio Garcia Lucio and R. Rosada (per Notice of Federal Tax Liens recorded)
(3) Notice of Foreclosure Sale
(4) Appointment of Substitute Trustee
(5) Copy of Letter and stamped return envelope

ACKNOWLEDGMENT:

INTERNAL REVENUE SERVICE

_____

By:_____

Printed Name

Title:_____

0101680623

Affidavit of Publications

Newspaper: THE TENNESSEAN / DAVIDSON

State Of Tennessee

TEAR SHEET ATTACHED

Account Number: 505781

Advertiser: LARRY D CRAIG, ATTY

RE: Antonio Lucio

I, V Perry **Sales Assistant** for the

above mentioned newspaper, hereby certify that the attached

advertisement appeared in said newspaper on the following dates:

9/6/2013 9/13/2013 9/20/2013 V Perry

Subscribed and sworn to me this 20 day of Sept, 2013

Lela Bates

NOTARY PUBLIC

LELA BATES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5/15/15

0101680623

NOTICE OF FORECLOSURE SALE

WHEREAS, default having occurred in the performance of the terms, conditions and covenants under that certain deed of trust (the "Deed of Trust") dated November 26, 2007, executed by Antonio Lucio and Rosario Lucio, husband and wife, to Jason K. West, Trustee, the Deed of Trust being of record in Instrument No. 20071203-0139782, Register's Office for Davidson County, Tennessee, and Larry D. Craig having been appointed Substitute Trustee by instrument of record in Instrument No. 2013086-0089950, said Register's Office;

NOW, THEREFORE, I, Larry D. Craig, as Successor Trustee and not otherwise, acting upon the demand of Pinnacle Bank, formerly Pinnacle National Bank, now a state chartered Tennessee Bank, who is the lawful owner and holder of the indebtedness secured by the Deed of Trust, and after having declared the entire indebtedness due and payable, will, on

October 9, 2013

at twelve o'clock noon (12:00 p.m.) at the front door of the Bridgestone Arena, 501 Broadway, at the entrance to the Register of Deeds, in Nashville, Davidson County, Tennessee, sell to the highest bidder for cash, at public outcry, the following described property (the "Property") in Davidson County, Tennessee:

Being Lot No. 38 on the Plan of Farview, Section II, as of record in Plat Book 3600, Page 6, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.

Being the same property conveyed to Antonio Lucio and Rosario Lucio, husband and wife, by deed of record in Instrument No. 20051004-0119638, Register's Office for Davidson County, Tennessee.

This is improved property having an address of 616 Farview Drive, Madison, Tennessee 37115.

Map 43-6, Parcel 139.00

The sale of the Property shall be subject to any and all prior liens, encumbrances, deeds of trust, easements, restrictions, building lines, unpaid taxes and assessments (plus penalty and interest, if any), and any redemptive rights (including redemptive rights of any taxing authority by reason of any tax liens), plus any and all other matters and encumbrances superior in right to the lien of the Deed of Trust.

This sale is subject to the right of redemption of the INTERNAL REVENUE SERVICE, Dept. of U.S. Treasury, pursuant to 26 U.S.C. 7425(d)(1) by reason of the following tax liens of record in Instrument Nos. 20110131-0008136 and 20110131-0008137, Register's Office for Davidson County, Tennessee, and notice of sale has been given to the IRS in accordance with 26 U.S.C. 7425(b).

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 highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder will be deemed the successful bidder.

OTHER INTERESTED PARTIES AND/OR SUBORDINATE LIENHOLDER(S): Internal Revenue Service, Federal Tax Liens.

THIS IS AN ATTEMPT TO COLLECT A DEBT. Any information obtained will be used for that purpose.

This 28th day of August, 2013.

LARRY D. CRAIG, as Substitute Trustee, and not otherwise
305 Fourteenth Avenue, North
Nashville, Tennessee 37203
(615) 320-5577

DAVIDSON A.M. INSERTION DATES: 9/6/13; 9/13/13; and 9/20/13